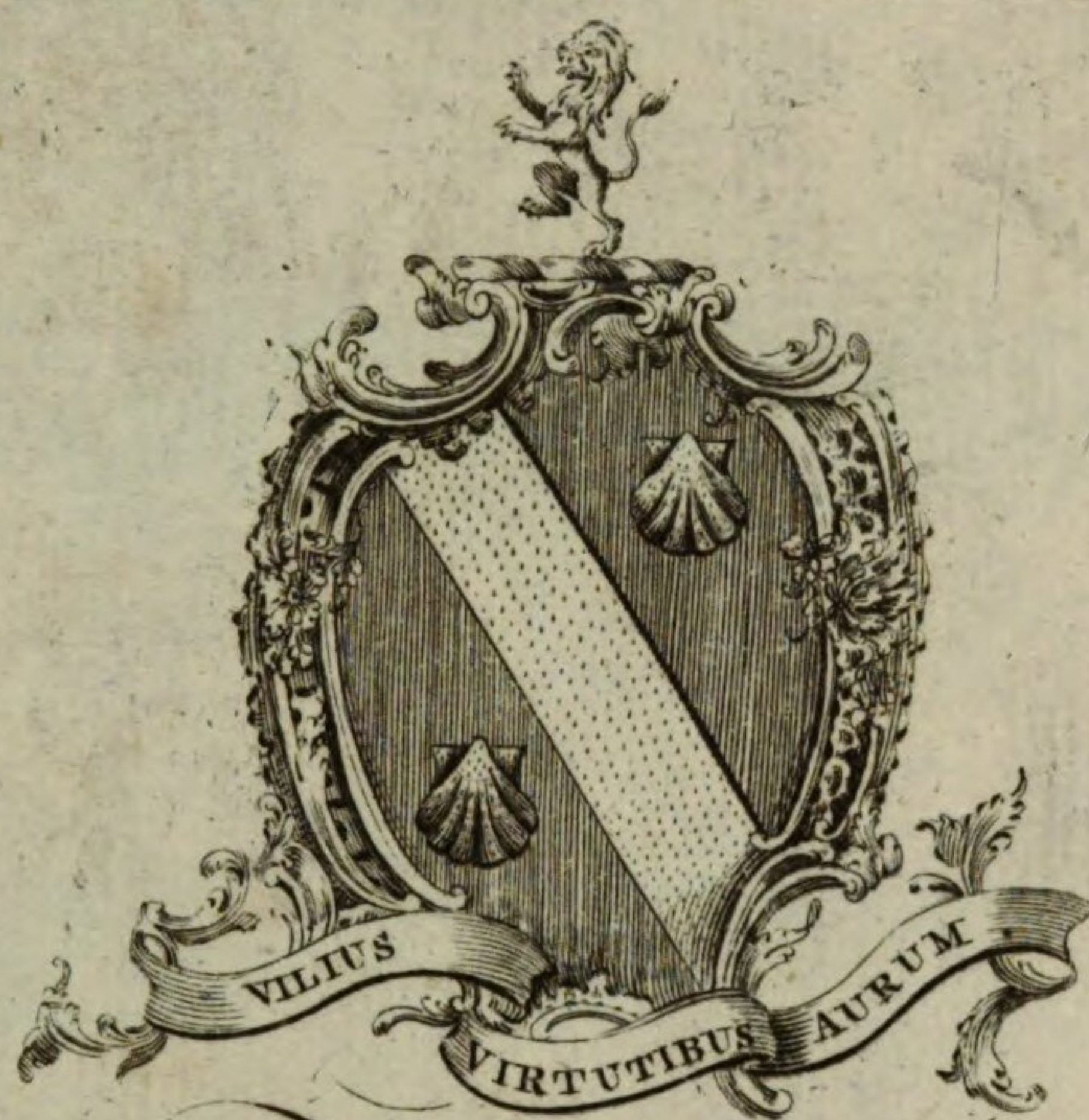


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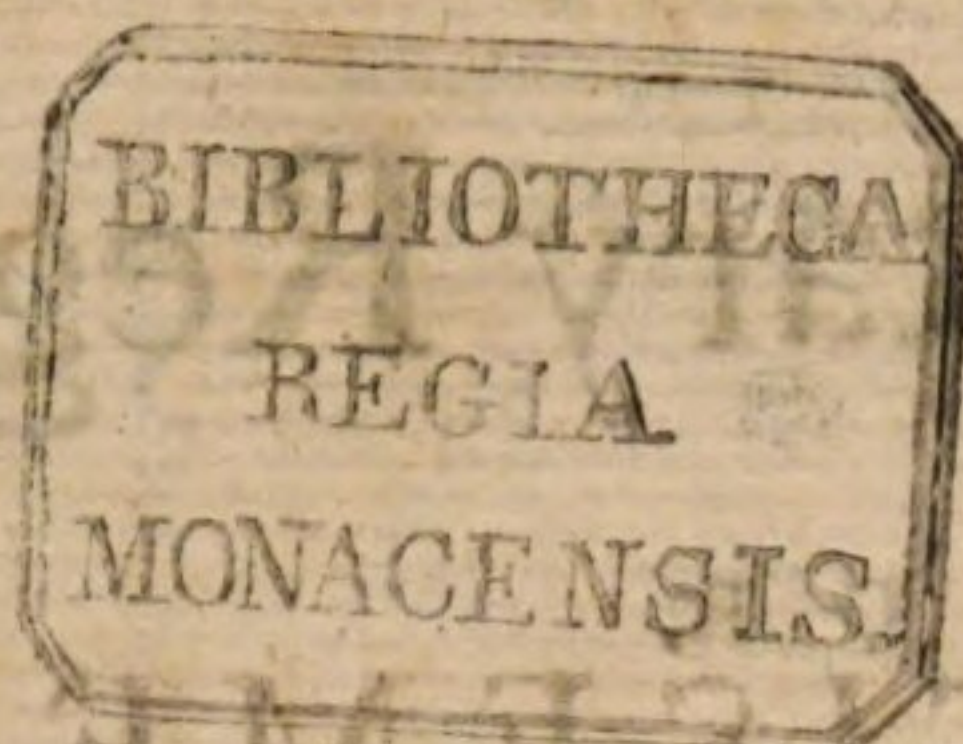
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M.DCC.LXXVI.



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P R O C E E D I N G S a n d D E B A T E S
O f t h e S E C O N D S E S S I O N o f t h e
H O U S E o f C O M M O N S
O F T H E
F o u r t e e n t h P a r l i a m e n t o f *Great-Britain* ;

Appointed to meet at *Westminster*, on *Thursday* the 26th Day of
October, 1775.

THE King being on the throne in the House of Peers, and the Commons attending, his Majesty opened the session with a speech.

The Commons being returned to their own House, the Speaker informed them, he had (to prevent mistakes) obtained a copy of his Majesty's speech, which he read as follows :

My Lords, and Gentlemen,

The present situation of America, and my constant desire to have your advice, concurrence, and assistance on every important occasion, have determined me to call you thus early together.

Those who have long too successfully laboured to inflame my people in America by gross misrepresentations, and to infuse into their minds a system of opinions repugnant to the true constitution of the colonies, and to their subordinate relation to Great-Britain, now openly avow their revolt, hostility, and rebellion. They have raised troops, and are collecting a naval force ; they have seized the public revenue, and assumed to themselves legislative, executive, and judicial powers, which they already exercise, in the most arbitrary manner,

manner, over the persons and properties of their fellow subjects : and although many of these unhappy people may still retain their loyalty, and may be too wise not to see the fatal consequence of this usurpation, and wish to resist it, yet the torrent of violence has been strong enough to compel their acquiescence, till a sufficient force shall appear to support them.

The authors and promoters of this desperate conspiracy have, in the conduct of it, derived great advantage from the difference of our intentions and theirs. They meant only to amuse by vague expressions of attachment to the parent state, and the strongest protestations of loyalty to me, whilst they were preparing for a general revolt. On our part, tho' it was declared in your last session, that a rebellion existed within the province of the Massachuset's Bay, yet even that province we wished rather to reclaim than to subdue. The resolutions of Parliament breathed a spirit of moderation and forbearance ; conciliatory propositions accompanied the measure taken to enforce authority ; and the coercive acts were adapted to cases of criminal combinations among subjects not then in arms. I have acted with the same temper ; anxious to prevent, if it had been possible, the effusion of the blood of my subjects, and the calamities which are inseparable from a state of war ; still hoping that my people in America would have discerned the traiterous views of their leaders, and have been convinced, that to be a subject of Great-Britain, with all its consequences, is to be the freest member of any civil society in the known world.

The rebellious war now levied is become more general, and is manifestly carried on for the purpose of establishing an independent empire. I need not dwell upon the fatal effects of the success of such a plan. The object is too important, the spirit of the British nation too high, the resources with which God hath blessed her too numerous, to give up so many colonies which she has planted with great industry, nursed with great tenderness, encouraged with many commercial advantages, and protected and defended at much expence of blood and treasure.

It is now become the part of wisdom, and (in its effects) of clemency, to put a speedy end to these disorders, by the most decisive exertions. For this purpose, I have encreased my naval establishment, and greatly augmented my land forces ; but in such a manner as may be the least burthen some to my kingdoms.

I have

I have also the satisfaction to inform you, that I have received the most friendly offers of foreign assistance; and if I shall make any treaties in consequence thereof, they shall be laid before you. And I have, in testimony of my affection to my people, who have no cause in which I am not equally interested, sent to the garrisons of Gibraltar and Port Mahon a part of my Electoral troops, in order that a larger number of the established forces of this kingdom may be applied to the maintenance of its authority; and the national militia, planned and regulated with equal regard to the rights, safety, and protection of my crown and people, may give a farther extent and activity to our military operations.

When the unhappy and deluded multitude, against whom this force will be directed, shall become sensible of their error, I shall be ready to receive them with tenderness and mercy: and in order to prevent the inconveniencies which may arise from the great distance of their situation, and to remove as soon as possible the calamities which they suffer, I shall give authority to certain persons upon the spot to grant general or particular pardons and indemnities, in such manner, and to such persons, as they shall think fit, and to receive the submission of any province or colony which shall be disposed to return to its allegiance. It may be also proper to authorise the persons so commissioned to restore such province or colony, so returning to its allegiance, to the free exercise of its trade and commerce, and to the same protection and security as if such province or colony had never revolted.

Gentlemen of the House of Commons,

I have ordered the proper estimates for the ensuing year to be laid before you; and I rely on your affection to me, and your resolution to maintain the just rights of this country, for such supplies as the present circumstances of our affairs require. Among the many unavoidable ill consequences of this rebellion, none affects me more sensibly than the extraordinary burthen which it must create to my faithful subjects.

My Lords and Gentlemen,

I have fully opened to you my views and intentions. The constant employment of my thoughts, and the most earnest wishes of my heart, tend wholly to the safety and happiness of all my people, and to the re-establishment of order and tranquility through the several parts of my dominions, in a close connection and constitutional dependence. You see the tendency of the present disorders, and I have stated to you the measures which I mean to pursue for suppressing them. Whatever remains to be done that may farther contribute to this

end, I commit to your wisdom. And I am happy to add, that, as well from the assurances I have received, as from the general appearance of affairs in Europe, I see no probability that the measures which you may adopt will be interrupted by disputes with any foreign power.

Mr. Acland. Mr. *Acland* moved; that an humble address be presented to his Majesty; which motion he introduced with the following speech :

When I consider the importance of the subject brought under our consideration by the King's most gracious speech from the throne, that on our firmness or indecision, the future fate of the British empire and of ages yet unborn will depend; when I behold the eyes of all Europe fixed on the temper and first proceedings of this assembly, I cannot arise without feeling the inferiority of my own abilities, and dreading to sink under a burthen I find myself almost unequal to bear; but if the kind indulgence of this house will support me, I will beg its attention but for a few moments, and then conclude with moving a dutiful address to the King.

Reflecting, Sir, on the present situation of America, so greatly altered since our last meeting, when I see her rising from her subordinate relation to this country, to the undisguised assertion of independence and empire; when I attempt to deduce the consequences that will thence flow, not only to this country but to all Europe, I confess I stand amazed at the extent of the object. But, Sir, however awful the situation of public affairs may be, I hold it to be the first duty of a great national assembly, deliberating on a great national concern, not to despair of the republick; for whoever, Sir, attentively examines the spirit of opposition that has been so long fomenting in America, who traces its course from its origin to its present enormous height, through all the various appearances under which artifice, passion and interest have alternately disguised it, must admit as I do, that the reducing America to a just obedience to this country is not without its difficulties; but he will conclude with me too, that where the interests of a great people are concerned, difficulties must be overcome not yielded to, nor are the difficulties superior to the strength of the nation that has to encounter them. Recollect the strength, the resources and above all the spirit of the British nation, which when roused knows no opposition; let me remind you of those great, extensive and successful wars that this country has carried on before the continent of America was known; let me turn your attention to that period when you defended this very people from the attacks of
the

the most powerful and valiant nation in Europe, when your armies gave law, and your fleets rode triumphant on every coast. Shall we be told then, that this people, whose greatness is the work of our hands, and whose insolence arises from our divisions, who have mistaken the lenity of this country for its weakness, and the reluctance to punish, for a want of power to vindicate the violated rights of British subjects; shall we be told that such a people can resist the powerful efforts of this nation.

The steps hitherto taken by Parliament have been marked by forbearance and moderation; for though it was well known that parts of America had been labouring to throw off the authority of this country, yet so unwilling was Parliament to exert its arms, that during the last session it continued to proceed by the coercion of civil power, trusting that the infatuation of the Americans would at last cease, and the sword might remain peaceful within its scabbard: but the Americans reasoned differently; they took advantage of our inclination to peace to prepare themselves for war, and though it was contended at our last meeting that New England was not then in a state of rebellion, it cannot now be contended that America is not in a state of war. From the very beginning of this quarrel the point in dispute between us has been perpetually fluctuating, and whatever the original contest might be, it is now lost in a contest for independence and empire. That the Americans have been long contending for independence I believe I am not the only gentleman in the House who is firmly persuaded; but now they hold a higher tone, presuming on a supposed invincibility of strength, they speak a clearer language.

The congress, in their observations on the conciliatory plan offered by Parliament last year, triumphantly demand "what right Britain has to interfere with her government, since she does not interfere with that of Britain?" Is not this the language of an independent state? It is a language that might well become France or Spain, but which cannot be reconciled to any idea of obedience from a colony to a mother country. In the private intercepted correspondence of their leaders, we find them boasting "of their labours in modelling a new government; raising, clothing and subsisting a large army, creating a marine, and founding an extensive empire:" but their actions still more loudly declare their intentions than their professions; they have raised an army, they are creating a marine, and the continental congress, under the assumed power of its own self-created assembly, have issued bills on continental

tinental credit; they have made war too, in all its forms, on the people of whom they would wish to be independent.

The question is now therefore reduced into a very short compass, do gentlemen chuse to acquiesce in the independence of America, or to enforce their submission to this country by vigorous measures? We shall be told perhaps not only of the difficulties of such an enterprize, but of the few advantages we can draw from a country reduced by the calamities of war: but this argument has little weight with any one who considers that the same force which is sufficient to subdue the disobedient spirit of America, is also sufficient and will be exerted to repair her losses, and alleviate her calamities. How soon were the mischiefs of the last war repaired! how soon was commerce restored, and industry reanimated in all parts of the world! But admitting this argument in its full force, admitting that America is regained, weakened and exhausted by the unnatural struggle; compare this situation with that of American independence; compare it with the perpetual loss of those exclusive advantages you have hitherto enjoyed in her trade; consider too, that the moment America is independent, she becomes the arbiter of your West-Indian trade, and a dangerous rival in many of the other branches of British commerce; from that moment the North American merchant becomes the rival of the British merchant in every part of Europe, Asia, and Africa, whilst the European, the Asiatic and African merchant, will be received as favourably as the British through the whole American continent: and I must maintain, that it would have been better for this country that America had never been known, than that a great consolidated American Empire should exist independent of Britain.

Would gentlemen, not mutually reproaching each other for what has or has not been done, without passion and without prejudice, consider what the exigency of affairs requires now to be done, they will perceive, whatever its origin might be, to such a height is this dispute now run, that no measures can be proposed that the Americans, confident in their own strength, would now accept, that would not terminate in real though perhaps not in nominal independence; as therefore there is now no medium left between their submission and their independence, those who think it for the advantage of this country that America should be reduced to a due submission to its legislature, will of course strengthen the hands of the executive power for that constitutional purpose; those, if there are any such, who wish to see America independent, may live to lament the consequences of their mis-judged partiality to that

A. 1775.

D E B A T E S.

7

that country, fatal to the interests of this, which ought to be, and I trust will be, the first and dearest object to the representatives of British freeholders.

Governor *Lyttelton* seconded the motion for an address. He Gov. *Lyttelton* expatiated on the necessity of strengthening the hands of government, if coercive measures were intended to be pursued.

He compared America to a chain, the upper part of which was strong, and the lower weak; he explained this, by saying, the northern colonies, or upper part of the chain, were strong, populous, and of course able to make resistance; the southern colonies, or lower part, were weak, on account of the number of negroes in them. He intimated, if a few regiments were sent there, the negroes would rise, and embroil their hands in the blood of their masters. He was against any conciliatory offers being made; said this was the most proper time to speak out; and thought, at all events, the honour of the nation required coercive measures; that the colonies ought to be conquered and then to have mercy shewn them; concluding, from Virgil, with *parcere subjectis et debellare superbos*.

Lord *John Cavendish* moved an amendment to erase the whole address, except the first paragraph, and to insert the following instead: Lord *John Cavendish*.

That we behold, with the utmost concern, the disorders and discontents in the British colonies, rather encreased than diminished by the means that have been used to suppress and allay them; a circumstance alone sufficient to give this House just reason to fear, that those means were not originally well considered, or properly adapted to answer the ends to which they were directed.

We are satisfied by experience that the misfortune has, in a great measure, arisen from the want of full and proper information being laid before the Parliament of the true state and condition of the colonies; by reason of which, measures have been carried into execution injurious and inefficacious, from whence no salutary end was reasonably to be expected; tending to tarnish the lustre of the British arms, to bring discredit on the wisdom of his Majesty's councils, and to nourish, without hope of end, a most unhappy civil war.

Deeply impressed with a melancholy state of public concerns, we shall, in the fullest information we can obtain, and with the most mature deliberation we can employ, review the whole of the late proceedings, that we may be enabled to discover, as we shall be most willing to apply, the most effectual means of restoring order to the distracted affairs of the

the British empire, confidence to his Majesty's government, obedience, by a prudent and temperate use of its powers, authority of Parliament, and satisfaction and happiness to all his people.

By these means we trust we shall avoid any occasion of having recourse to the alarming and dangerous expedient of calling in foreign forces to the support of his Majesty's authority within his own dominions, and the still more dreadful calamity of shedding British blood by British arms.

Sir James
Lowther.

Sir *James Lowther* seconded this motion. He strongly urged the great impropriety and danger of vesting the important fortresses of Gibraltar and Minorca in the hands of foreigners. He condemned the address throughout; attacked the whole system of colony government, and the measures arising from it; and with peculiar energy, urged the interest he had in the event of those measures, the stake he had to lose, and the motives which might consequently be supposed to influence his conduct.

Mr. *Wilkes*.

The Lord Mayor [*Mr. Wilkes*.] I entirely agree with the honourable gentleman who seconded the motion for an address to his Majesty, that every man ought now to speak out; and in a moment so important as the present to the whole empire, I think it ill becomes the dignity and duty of Parliament to lose itself in such a fulsome, adulatory address to the throne as that now proposed. We ought rather, Sir, to approach our Sovereign with sound and wholesome advice, and even with remonstrances against the conduct of his ministers, who have precipitated the nation into an unjust, ruinous, felonious and murderous war. I call the war with our brethren in America an unjust, felonious war, because the primary cause and confessed origin of it is, to attempt to take their money from them without their consent, contrary to the common rights of all mankind, and those great fundamental principles of the English constitution, for which Hampden bled. I assert, Sir, that it is in consequence a murderous war, because it is an attempt to deprive men of their lives for standing up in the just cause of the defence of their property and their clear rights. It becomes no less a murderous war with respect to many of our fellow-subjects of this island; for every man, either of the navy or army, who has been sent by government to America, and has fallen a victim in this unnatural and unjust contest, has been murdered by administration, and his blood lies at their door. Such a war, I fear, Sir, will draw down the vengeance of Heaven upon this devoted kingdom.

I think this war, Sir, fatal and ruinous to our country. It
absolutely

absolutely annihilates the only great source of our wealth, which we enjoyed unrivalled by other nations, and deprives us of the fruits of the laborious industry of near three millions of subjects, which centred here. That commerce has already taken its flight, and our American merchants are now deploring the consequences of a wretched policy, which has been pursued to their destruction. It is, Sir, no less ruinous with regard to the enormous expence of the fleets and armies necessary for this nefarious undertaking, so that we are wasting our present wealth, while we are destroying the sources of all we might have in future.

I speak, Sir, as a friend to England and America, but still more to universal liberty, and the rights of all mankind. I trust no part of the subjects of this vast empire will ever submit to be slaves. I am sure the Americans are too high spirited to brook the idea. Your whole power, and that of your allies, if you had any, and of all the German troops you can hire, cannot effect so wicked a purpose. The conduct of the present administration has already wrested the sceptre of America out of the hands of our Sovereign, and you have now scarcely a postmaster left in the whole northern continent. More than half the empire is already lost, and almost all the rest is in confusion and anarchy. The ministry have brought our Sovereign into a more disgraceful situation than any crowned head now living. He alone has already lost, by their fatal counsels, more territory than the three great united powers of Russia, Austria and Prussia have together robbed Poland of, and by equal acts of violence and injustice from administration.

England was never engaged in a contest of such importance to our most valuable concerns and possessions. We are fighting for the subjection of a country infinitely more extended than our own, of which every day encreases the wealth, the natural strength, and population. Should we not succeed, it will be a bosom friendship soured to hate and resentment. We shall be considered as their most implacable enemies, an eternal separation will succeed, and the grandeur of the British empire pass away. Success seems to me not equivocal, but impossible. However we may differ among ourselves, they are perfectly united. On this side the Atlantic party-rage unhappily divides us, but one soul animates the vast northern continent of America, the general congress, and each provincial assembly. An appeal has been made to the sword, and at the close of the last campaign what have we conquered? Bunker's Hill with the loss of 1200 men. Are

we to pay as dearly for the rest of America? The idea of conquest is as romantic as unjust.

The honourable gentleman, who moved the address, says, "the Americans have been treated with lenity." Was your Boston port bill a measure of lenity? Was your fishery bill a measure of lenity? Was your bill for taking away the charter of the Massachuset's Bay a measure of lenity, or even justice? I omit your many other gross provocations and insults, by which the brave Americans have been driven into their present state. He asserts that they avow a disposition to be independent. On the contrary, Sir, all the declarations both of the late and the present congress, uniformly tend to this one object, of being put on the same footing they were in the year 1763. This has been their only demand, from which they have never varied. Their daily prayers are for liberty, peace and safety. I use the words of the congress of the last year. They justly expect to be put on an equal footing with the other subjects of the empire. If you confine all our trade to yourselves, say they; if you make a monopoly of our commerce; if you shut all other ports of the world against us, tax us not too. If you do, then give us a free trade, such as you enjoy yourselves; let us have equal advantages of commerce, all other ports open to us; then we can, and will, chearfully pay taxes.

It must give, Sir, every man who loves this country, the deepest concern at the naming in the address foreign troops, Hanoverians and Hessians, who are now called to interfere in our domestic quarrels, not to dwell this day on the illegality of the measure. The militia indeed are now employed, and that noble institution is at present complimented by ministers, who hate the very name of a militia, because the embodying of those forces enables administration to butcher more of our fellow subjects in America.

Sir, I disapprove not only the evil spirit of the whole address, but likewise the wretched adulation of almost every part of it. My wish and hope therefore is, that it will be rejected by the House, and that another dutiful, yet decent, manly, address will be presented to the King, praying his Majesty that he would sheath the sword, prevent the farther effusion of the blood of our fellow subjects, adopt some mode of negociation with the general congress, in compliance with their repeated petition, and thereby restore peace and harmony to this distracted empire.

Sir Adam
Fergusson.

Sir Adam Fergusson said, that if experience did not shew that scarce any question ever came before that House without some

A. 1775.

D E B A T E S.

II

some variety of opinion, he would have flattered himself that, however much they had hitherto differed, they should now, at least, have come together with some degree of unanimity.

That gentlemen should differ about some particular points of colony government, as, for example, how far it was expedient or inexpedient to tax America, considering how much that question was involved in difficulty, and how much could be plausibly said on the one side or the other, was not much to be wondered at: but that it was matter of no small surprise to him, that they were still likely to differ in opinion, when the question was no longer confined to taxation, or to any particular exercise of the authority of Great Britain, but extended to the very being of the sovereignty itself, and to those rights of which this kingdom had been in possession ever since the existence of the colonies.

That the honourable magistrate [the late Lord Mayor, Mr. Wilkes] had said, that the congress had declared they did not aim at independance. They certainly had done so in general terms: but how did their particular claims correspond to this general assertion? He was afraid, if these were examined, it would appear that the pretensions of the congress went the length of a total exemption from the power and authority of Parliament.

They had declared in the most express terms, that Parliament had no right to intermeddle with their provisions for the support of civil government, or the administration of justice. Their language was, that while Parliament pursued its plan of civil government within its own jurisdiction, they insisted upon pursuing theirs without molestation, plainly claiming an authority in each of the colony assemblies, exclusive of that of Parliament. An exclusive right of legislation in all matters of internal policy had been, in the most express terms, asserted by them, and not only the late acts of Parliament more particularly complained of, but every other which touched upon the internal polity of the colonies, had been treated by them as unjust encroachments of Parliament upon the rights of a legislature as independent as itself.

In military matters, their pretensions were equally extravagant. They expressly denied that Great Britain had a right to keep a single soldier in the whole extensive continent of America, without the consent of the legislature of that colony where the troops were kept.

With regard to revenue, had not a declaration been made, in words intelligible to all mankind, that America never would be taxed by Parliament, unless they refused to contri-

bute their proportion to the common expences of the state? They even knew, that any reasonable sum would be accepted of: but they would not gratify this country so far as to say that they would contribute a single shilling.

The only particular in which they seemed inclined to admit the authority of Parliament was in what related to the regulation of their trade: even with regard to that, they expressed themselves with a sufficient degree of caution; but in every thing else they asserted an absolute independance on Parliament.

In what manner things had been brought to that unhappy dilemma, did not seem the proper object of their present enquiry. There might be time enough for that inquiry afterwards. The present object was to remedy the evil. For his part, were he to give his opinion upon that subject, he should be apt to say, that the fault did not so much lie in this or that particular set of measures, as in that variable and fluctuating conduct, which cannot be altogether avoided in a government such as ours, and which had remarkably prevailed with regard to America.

He should be apt to say, that no ministry, since the time of the stamp-act, had been altogether free of blame: but he should at the same time add, that, perhaps, more than any ministry, those had been to blame, who, not satisfied with expressing their disapprobation of particular measures, had argued, both within and without doors, against the authority of the supreme legislature itself; who, from an excess of zeal in support of America, seemed too much to forget the interest of the mother-country; and from an apprehension lest the colonies should be ruled with too heavy a hand, seemed inclined to adopt measures which had a tendency to exempt them from the dominion of Great Britain altogether, and to erect them into so many sovereign independent states.

But instead of investigating the causes of the evil, it was more material now to consider what was proper to be done to remedy it, and in this he saw but one choice, either to support with vigour the authority of Great Britain, or to abandon America altogether.

That some speculative men have said, and published their opinions to the world, that it would be no such fatal stroke to Britain as is generally imagined, were America to be abandoned altogether; that he had not opinion enough of his own foresight to say with certainty what the consequence would be, but so much benefit he had reaped from these speculations

as to hope that the welfare and prosperity of Great Britain would not be desperate even were such an event to happen.

But who would be bold enough to advise such a measure? and who could, with certainty, answer for the effects of it? If no person would, what remained, but that they should exert every nerve to reduce their rebellious subjects to obedience? After they had reduced them, and convinced them of their inability to resist the power of this country; then and not till then, would be the time to shew them all possible indulgence.

That any further concession now would be considered as extorted from them by their fears, not as the voluntary effect of their favour.

But *can* this country reduce them to obedience, or must their contest be given up for want of power? If it must, there is no help for it: but, at least, let us put it to the trial; for his own part, he could not entertain a doubt of it; he did, indeed, see that those were mistaken who said the Americans would not fight: but those were, at least, as much mistaken, if there were any such, who would entertain a doubt of their being reduced by a proper exertion of the power of Great-Britain.

As he could not doubt of the strength of Great-Britain to reduce them, so he hoped if that strength was exerted it would be done effectually. If a force is sent to America, both prudence and humanity required that it should be such a one as, humanly speaking, would carry its point. The error hitherto had been to have too small a force there; to continue the same error still, was to protract the miseries and horrors of a civil war. He did not mean merely that such a force should be sent as would be sufficient to beat their opponents; it ought to be such a one as would deprive them of all idea of resistance.

These being his sentiments, he could not possibly give his assent to the amendment proposed by the noble Lord.

He concluded with expressing a wish that in this great and trying crisis, in which the power, the authority, the importance of Parliament was at stake; in which the question was, whether the King, Lords, and Commons should continue, as he had always understood them to be, the great governing power of the whole British empire; or if America was henceforward to be subject to the King alone, while Parliament was reduced to a level with one of the provincial assemblies. If gentlemen would lay aside the animosity of party, and confine their views singly to their country, that he knew that
while

while this government subsisted there must be different parties, and that the minister, merely because he was minister, must be opposed. That he did not wish it otherwise. He was afraid such opposition was necessary to supply the want of public virtue: but that though such opposition was to be expected in the ordinary course of parliamentary proceedings, there were some cases of much too serious a nature to admit of it, and such he thought the present case to be.

Gov. John-
stone.

Governor *Johnstone*. The speech of the honourable baronet who spoke last is very much like that we have just heard from the throne, full of assumed false facts and general undisputed axioms, which the people in America are as ready to close with as their adversaries on this side. As for instance, the honourable gentleman says, "the Americans had some reasons for their conduct in the first of those disputes; but now they have refused their *just* proportion of taxes, by rejecting Lord North's conciliatory proposition of last year, and resisting the constitutional authority of Parliament, he is ready to devote them to destruction." Who does not see that the whole question, even according to this honourable gentleman, turns upon *just* proportion and constitutional authority? Now I deny that the people of America have ever refused to contribute their just proportion, when called upon in a constitutional way, and those who assert the contrary ought to prove it. If the honourable gentleman vindicates the severity of his conduct against his fellow subjects in America, for rejecting the proposition of last year, which the noble Lord introduced about the middle of the session, I think he rests on as feeble ground as any man ever stood on. How does he vindicate the severities in which he concurred before it could be known whether the subjects in America would accede to this marvellous indulgence or not? His mind must have been strangely biased to the noble Lord, if this could turn the scale of his reason. I really thought this foolish piece of paper had been so universally condemned, that I should never again have heard any arguments founded on so flimsy a foundation. The purpose was clearly to amuse the people on this side the Atlantick, and to divide the people on that. Having failed in its effect, I understood from many friends of government, that every rational argument in support of the proposition had been reprobated: for what, indeed, can be more truly ridiculous, than in a dispute concerning the power of taxation, seriously to say to a sensible people, we admit there are many unanswerable reasons why this assembly

bly are unfit to impose taxes upon you, and therefore, if you will only tax yourselves to *our* satisfaction, we will forbear the exercise of a right to which we declare by the proposition we are incompetent : but some men will say the Parliament can judge sufficiently well of the gross sum, though unfit and incapable of determining on the manner in which it is to be raised. Who that is accustomed to reason accurately, does not perceive that the estimate of supply must be regulated from a thorough knowledge of the ways and means, and that they are united in common sense, as well as by the English constitution, to reside in the same persons. But the honourable baronet forgets that the main argument which drew the concession of the conciliatory proposition turns on this : The Americans have no representatives in the British Parliament ; they have not the security of other subjects residing in Britain, who may not be represented, namely, that the members in taxing them must tax themselves ; on the contrary, it is the interest of every member to lay as much as possible on America to ease himself. This was the consideration which “ drew iron tears from Pluto’s cheek,” and has affected so many members not remarkably tender towards the feeling of their fellow-creature. But let us consider if this irresistible objection, as it has been called by one of the friends of administration, against taxing America by the British Parliament, does not equally apply, when we approve of the sum offered, and tax them in the lump, as when we tax them by detail.

However, Sir, absurd as this appears, it is not my capital objection to that mode of raising money, nor is it the objection of the Americans ; they maintain the power of giving and granting their own money by their own free and voluntary consent, is the only security they can retain for the just administration of government, at so great a distance from the seat of empire. That it is the main spring in their several establishments upon which the meeting and power of their several assemblies depend, from whence the singular prosperity of the British colonies, above all others on the face of the earth, have flowed. They admit you have the power of limiting the means, by which they may acquire property, but they deny you the power of disposing of this property after it is so acquired. Thus in his Majesty’s speech the same general undefined axioms prevail. “ To be a subject of Great Britain, with all its consequences, is to be the freest member of any civil society in the known world.” All America with one voice agree in this truth ; their writings and their actions proclaim their belief : but they maintain, as I assert

assert in their behalf, that one of the unalienable consequences of that situation, is the giving and granting of aids for the support of government, according to the exigency that shall appear to their own understanding : and that to tax them in an assembly where they have no representatives, and by men who have no interest in the subsidy they impose, is contrary to the spirit of the British constitution, and in its consequences must deprive them of all the essential rights of a British subject. Another essential right of a British subject is trial by jury ; has not this been abrogated in many cases by the late acts of Parliament, and totally destroyed in all civil causes in the extensive province of Quebeck ? The writ of *habeas corpus* is another essential right of a British subject ; has not this also been done away ? I forbear to enumerate the other oppressive proceedings, contrary to the whole tenor of our government, dissolving of charters without evidence, trial, or forfeiture ; laws to deny the natural gifts of the elements, confounding the innocent with the guilty ; because when once the three great pillars of the British constitution are removed, taxing without representatives, trial without jury, imprisonment without relief by writ of *habeas corpus*, the whole must necessarily fall into confusion, and the rest is not worth contending for. The people in America wisely foresee the suppression of all their rights, in the train of those iniquitous innovations. They perceive that every thing which is dear to a freeman is at stake, and they are willing, as becomes the children of their ancestors, to put all to the risque, and sacrifice their lives and fortunes, rather than give up the liberty of a subject of Great Britain, with all its consequences. The honourable baronet has concluded his speech with another reason for inducing us to join in the coercive measures proposed by the address, which is still more extraordinary, saying, “ Whether we succeed or not may be uncertain ; but if we fail, we shall even then be no worse than we were.” These are the very words of the noble Lord on the treasury bench last year. I am persuaded the worthy baronet has words of his own so much at will, that he borrows from no man ; but I am more surpris'd he can sanctify such opinions by his voice. If America is forced to invite foreign powers to share in her commerce ; if she is drove to the necessity of following the example of Holland and Switzerland ; if our armies are destroyed, our fleets wrecked, our treasures wasted, our reputation for justice and humanity lost, our senates corrupted by the emoluments which must fall to individuals

viduals, in the prosecution of so expensive a war, and four shillings land-tax entailed on us for ever, will the honourable gentleman say we are only where we were? What objects can call the attention of the House in a stronger degree than those I have enumerated? and yet they are all involved in the question now before you, if you reject the amendment proposed. I say, it is unfair in administration, and an affront to every individual member of the House, to call upon them without any information laid on your table, without evidence brought to your bar, destitute of every material by which a rational creature can resolve, to require he should give his unlimited sanction to measures of such moment, on the very first day (perhaps) of his arrival in town. The reason is obvious to me. The minister clearly perceives, if men were acquainted with the real state of things in America; if they had time to acquire information, to reason and reflect, that all men of generous feelings would leave him, and even his most desperate followers might be shaken: men are to be brought to this black business hood-winked; they are to be drawn in by degrees, till they cannot retreat. On the one hand, a dutiful address to his Majesty, full of those general assurances of loyalty and respect becoming subjects to the first magistrate, is offered to your determination: on the other, a hasty approbation of measures you have had no time to consider, from men you have every reason to suspect, lies before you. Is there a man who feels the dignity of his situation, that can hesitate in his choice upon such an alternative?

I shall now expose to the House the false facts which are assumed in his Majesty's speech, as composed by the minister. First, the minister tells you he has called you early together. This I deny. The commencement of open hostilities was in April, the battle of Bunker's-hill in June, and the petition from the congress in July; they severally arrived in England within five or six weeks after the events. Now I maintain, as a member of Parliament intrusted with a voice in the supreme authority of the empire, that I am called late to deliberate in the national council on such great events. The next notorious untruth is, that the Americans are collecting a naval force. The third assertion, that the Americans meant only to amuse by vague expressions of attachment to the parent state, is equally injurious to their honour and to truth. This can only be inserted as an excuse for the bad conduct of administration and their ill success. The Americans told you in language the most direct and simple, again and again re-

peated, that they would resist to the last appeal those arbitrary innovations : but you affected not to believe them ; nevertheless, I maintain, the armaments were calculated to resist men in arms, and the insufficiency arose from a total ignorance of the force, character and dispositions of the people in America, as well as a misconception upon the effect the several restraining bills passed last sessions would produce : in short, from a perfect ignorance of the operations of cruelty and oppression on high minded men, acting under the spirit of freedom. All their knowledge seems to have been drawn from one source, that of Governor Hutchinson. The civil war now raging in America seems, step by step, to have been carried on by his advice. Whoever reads his letters, lately published in America, sees every measure pursued by administration to have been antecedently pointed out by this gentleman in his *confidential* correspondence, until his sentiments seem dictated at last more by revenge and disappointment than any other principle : what confidence should be placed in the advice of a man who has declared in the cool moments of committing his reflections to paper, that every Machiavelian policy is now to be vindicated towards the people in America ? I am here supposing the letters in my hand to be genuine, and there is little reason to doubt their authenticity, as they remain uncontradicted. It matters not to me, as a judge, how they were procured. The only question respecting my opinion on the conduct of Mr. Hutchinson at present is, are the letters genuine or not ? For in this I always differed from the lords of the council, who determined on the complaint of the province of New England against Governor Hutchinson, on the former letters they discovered. The Lords of the Council laid the whole stress on the manner in which the letters had been obtained. No man could admire the abilities of the advocate more than I did on that occasion ; it was his business to inflame the passions, to cover the turpitude of Governor Hutchinson's conduct, under crimes of a greater dye : but it was shameful in the judges to be led away, it was unworthy the discrimination so necessary to that character, to mingle the manner of obtaining the letters with the fact they were brought to prove. I shall suppose the letters had been obtained as infamously as the Essay on Woman, and more infamously it is impossible ; yet my judgment on the conduct of a governor writing to men in high authority, on the political affairs of his province, and concluding as his advice, that the liberty of British subjects must be abridged,

would

would not have been altered from that circumstance. And here I must avow my sentiments as freely as Governor Hutchinson has communicated his, that any officer in government, much less the supreme magistrate, entrusted with the preservation of the rights of every individual in his province, who could entertain such sentiments, is unfit to be employed in any office, civil or military, after a fact of so heinous a nature against the constitution being fully proved. I am confident our ancestors, instead of giving such a man an enormous pension, would have inflicted the punishment he deserved, which I think should have been an address to the crown, that he might never more have been employed in the service of the public.

I know there are many men high in favour who are for *abridging the liberties of the people* in the colonies. My system, on the contrary, is for preserving them sacred and inviolate, according to their several antient institutions, the variety of which forms the harmony and beauty of the whole. There is no middle institution, as in this country, to balance between the people and the crown: the assemblies are their only barrier; they are, therefore, the favourite institution of the people; to them they look for protection against the exactions, oppressions, and extortions of governors, and are, on that account, cautious and jealous of any infringement that shall diminish their power. The honourable gentleman who seconded this address has been long employed as his Majesty's representative in the colonies, first in Carolina, and lastly in Jamaica; every thing he offers to this House must derive great weight from these circumstances; his abilities are undisputed. I have not the honour of knowing him; but I have heard his talents universally acknowledged. Having been on the spot in some places, it must give him many additional advantages, for I maintain it is impossible for any man who has not seen with his own eyes, and heard with his own ears, to know equally well the manners, customs, dispositions, and other circumstances necessary to form a true judgment on the present contest with the colonies: but it is also necessary to know some leading circumstances respecting the person who offers his information and advice, before we hastily concur in his opinion. The honourable gentleman says, "it may appear strange, that he who has grown grey in the service of America, should now appear among the first to propose those coercive measures, which by some are termed cruel and harsh," but this he excuses from his humanity: I say, it may

appear strange to some who are not acquainted with the history of that gentleman's administration so well as I, that he should take this forward part. But here I premise, that I do not enter into the merit of the dispute which that gentleman had with the assembly of Jamaica, because it is beyond my present argument; all I assert is, that he had an unfortunate dispute with that body, which lasted two years; that, during this period they would do no business with him, or raise any money; that he dissolved the assembly more than once, and still a great majority were found against his measures; that he was at last recalled, and a successor appointed, who cancelled his proceedings, upon one of the most *unfortunate* representations that ever attended any man on leaving his government: I am, therefore, not surprised that the honourable gentleman should be inimicable to American assemblies, or that he should be ready to join with those who have found out a shorter way of governing them, than by the general sense of the people, seeing they are so troublesome, on many occasions, to the repose of a governor.

The honourable gentleman has given us some account of the debilitated state of men in the other provinces he had the honour to command, and hinted at means for subduing their spirit, in a manner which inclines me to believe he has not left many more friends behind in that colony than in Jamaica. Administration has been so much misled by those partial and illiberal accounts of men in the gross, that I dare say they will be cautious how they trust to such intelligence again. Neither my reading or observation give me leave to think the people in Carolina will be behind any of the colonies, in supporting and defending rights which are so essential to securing every thing that is dear to them as British subjects. The honourable gentleman had occasion to lead them to war on a certain occasion; I wish he would tell the House how they behaved. If southern climates has such strange effects in enervating the human frame, give me leave to hope at least that the honourable gentleman has escaped this contagion. The other scheme he alludes to, of calling forth the slaves, is too black and horrid to be adopted; neither would it answer, if administration were wicked enough to make the attempt: the state of slavery cuts off all the great magnanimous inventive powers of the human mind, but it rather strengthens fidelity and attachment; the Roman history fully confirms this: amidst the multiplied treachery of friends and relations, amidst the greatest temptations, during the corruptions of that government, the slave was seldom

dom or ever unfaithful to his master. The principle lies in human nature. Where mankind are deprived of the means of getting subsistence, where they are accustomed to look up to another for food, rayment and protection, they insensibly forget the original injury they sustained, and become attached to their master. In general, I must also observe, that masters are kind to their slaves. It is not he who uses the scourge and the whip, which the honourable gentleman has mentioned, that is the first to put the musquet on his shoulders in such glorious contests as these. It is not he who tortures and frets his fellow creatures ; but he who feels that universal benevolence which extends his affections to all men in their several stations ; who feels the spirit of equality, who knows the principles of liberty, who understands the consequence of those rights, without which we are always worse men and worse subjects, and who is willing, for the benefit of children yet unborn, to seal the truth of his doctrine with his blood. It is not to men of this temper that slaves will prove unfaithful. I shall rather expect to see them flock round his standard, though I admit the experiment is too dangerous on either side. I say again, the whole of our blunders, oppressions and mistakes in these unfortunate disputes, have arisen from ignorance in the first principles of government ; gross ignorance in the several constitutions of the colonies ; ignorance in the power we could apply to subdue them, and still greater ignorance of the end to be obtained by such an attempt. To each of those I will severally speak. I say it demonstrates a perfect ignorance of the history of civil society, to assert (which is the captivating argument used in this House, for breaking down all the barriers of liberty in America) that two independent legislatures cannot exist in the same community, and therefore we are to destroy the whole fabrick of those governments which have subsisted for so many years. Mankind are constantly quoting some trite maxim, and appealing to their limited theory in politicks, while they reject established facts. I say, a free government necessarily involves many clashing jurisdictions, if pushed to the extreme. I maintain this species of government must ever depend more on the spirit of freedom that first established it, than on all the parchment you can cover with words. I aver that in the most active triumphant common-wealth which ever appeared on the stage of the world, two distinct legislative authorities did actually exist. The *comitia tributa* and the *comitia centuriata*. The whole government of Athens would appear

appear as containing so many ridiculous paradoxes to those wise politicians. The actual state of Holland, where every town is a distinct government within itself. The deliberation of the States General, where no money can be raised unless the whole are unanimous. No new laws made or any old repealed against one dissenting voice ; all these would appear impossible to such politicians who are ever supposing mankind ready to destroy themselves : nevertheless the facts are equally certain. If the best parts of our constitution were to be stated to a foreigner ; the trial by jury, where twelve men must be unanimous in their opinion, in causes the most intricate and nice, where even the ablest council differ in opinion, he would be led to imagine justice might stand still ; yet we all know nothing proves so easy in the execution. The danger of pushing things to extreme, makes the good sense of men prevail, while the power of resisting in every individual jurymen, prevents prejudice and injustice from trying their strength on matters that are not tenable. The springs of a free government are not obvious to every understanding, while the meanest foot soldier knows all the powers of despotism. Here the *supremacy* of the magistrate solves every question. In the same manner the advantages derived from America, in the circle of commerce, are not so evident to a vulgar understanding, as so much palpable cash paid into the Exchequer. For this reason I am ready to forgive those who differ with me in opinion, concerning this American contest. It demands a process of reasoning to which common understandings are not generally accustomed. I should not be surpris'd if half the people in England should at first join against the Americans ; national prejudice, pride, false glory, and false arithmetic, all contribute to deceive them ; but that any man assuming the character of a statesman, should proceed in this mad career, to destroy in a few years that beautiful system of empire our ancestors have been raising with so much pains and glory ; first under the false pretence, of raising a revenue, and next under a more false pretence that America wishes to throw off her just dependence on Great-Britain. This, I confess, does surprize me. For this reason my indignation chiefly rises against the noble Lord on the floor ; I am willing to acquit all his colleagues and most of his followers, even if they had not the interested motives of places and pensions to bias their judgment ; but that the noble Lord, who yearly considers the riches that come into the public treasury, who knows and can trace all the circuitous channels

channels by which riches flow into this country, that he should place no more to the credit of America than the paltry sum collected by his insignificant commissioners, and endeavour to mislead others by such assertions. This indeed is beyond belief. When the noble Lord is pleased to take the other side of the argument, what abundance of wealth does he sometimes pour forth in the most copious flow of eloquence. When he supports this rugged coercive system, how he labours and flings nothing but sounding words and unmeaning phrases. *The dignity of Parliament!* now I say this is best supported by humanity and justice, and maintaining the freedom of the subject. *The supremacy* of the legislative authority of Great-Britain! this I call unintelligible jargon; instead of running the different privileges belonging to the various parts of the empire into one common mass of power, gentlemen should consider that the very first principles of good government in this wide-extended dominion, consist in sub-dividing the empire into many parts and giving to each individual an immediate interest, that the community to which he belongs should be well regulated. This is the principle upon which our ancestors established those different colonies or communities; this is the principle on which they have flourished so long and so prosperously; this is the principle on which alone they can be well governed at such a distance from the seat of the empire. Yet we are breaking through all those sacred maxims of our forefathers, and giving the alarm to every wise man on the continent of America, that all his rights depend on the will of men whose corruptions are notorious, who regard him as an enemy, and who have no interest in his prosperity, and feel no controul from him as a constituent. The most learned writer on government has defined civil and political liberty to consist in a perfect security as to a man's rights; after the acts of Parliament of last year, can any man on the great continent of America say that he feels that security? Could any thing less than a dread of losing every essential privilege, have united a people so divided in customs, manners, climate, and communications? Could any thing less than an entire want of policy, a species of political phrenzy here, have produced this wonderful effect? You blame the Americans, but do not consider the next step which your conduct necessarily drives them to. You assert they aim at independency; I assert they wish for nothing more than a constitutional dependence on Great-Britain, according as they have subsisted from

from their first establishments, and according as Ireland depends on the British legislature at this moment. Can any man who knows the power of the crown in the legislative and executive parts of our colony government, who understands the force of the several acts of navigation, who knows the incitements and attachments by the education of youth in this country, who knows what would be the effects of mixing the colonists in our fleets and armies, and every other office in our government; who considers the effects of appeals in the last resort to his Majesty in council; who knows the power of his Majesty in annulling laws made in the colonies within three years; who perceives the advantages that every part of the empire derives from the prosperity of the other; who is there, I say, capable of digesting those thoughts, and can entertain the ignoble jealousies daily expressed against the Americans, or show any motive why the people in America should break the bond of union with this country for ages yet to come, unless driven to that extremity by following Mr. Hutchinson's advice in *abridging their liberties*, which is as much a part of their birth-right as of any man living and born in England. The nature of government will not allow us to define what are the precise points where *resistance* may be made to the governing powers; but will any man conclude from thence that acts of King, Lords and Commons ought not to be resisted, if they should sap the fundamental principles of the constitution? Nothing but the general feeling of the community can determine the point; and was ever the sense of a people so unanimous on any subject? I declare, upon my honour, I have not conversed with one man from America (and I have chiefly sought out the friends of Administration) who have not universally agreed, that all America is unanimous in resisting the power of taxing them by the British Parliament where they have no representatives; that they will never yield this point; that in case they were made easy on this point, and secure as to their charters, on which their property depends, they would immediately return to their duty and obedience. This I aver to be the universal report and opinion of all men with whom I have conversed from America. If any one disputes the truth of my assertions, I now defy him to bring any evidence to contradict me, and I now undertake to bring men of the best characters in support of what I aver. But respecting general opinion, I still go further; I maintain that the sense of the best and wisest men in

in this country, are on the side of the Americans ; that three to one in Ireland are on their side ; that the soldiers and sailors feel an unwillingness to the service ; that you never will find the same exertions of spirit in this as in other wars. I speak it to the credit of the fleet and army ; they do not like to butcher men whom the greatest characters in this country consider as contending in the glorious cause of preserving those institutions which are necessary to the happiness, security and elevation of the human mind. I am well informed, that four field officers, in the four regiments now going from Ireland, have desired leave to retire or sell out. I do not mean to say, that the soldiers or sailors in America have shown any signs of cowardice, this is below their spirit ; I only assert they in general proclaim it a disagreeable service ; most of the army feel it as such ; that numbers have not deserted is owing to their situation. There is a wide difference between the English officer or soldier who barely does his duty, and the general exertions of the New England army, where every man is thinking what further service he can perform ; where every soldier is a Scævola. To a mind who loves to contemplate the glorious spirit of freedom, no spectacle can be more affecting than the action at Bunker's hill. To see an irregular peasantry commanded by a physician : inferior in number : opposed by every circumstance of cannon and bombs that could terrify timid minds, calmly waiting the attack of the gallant Howe, leading on the best troops in the world, with an excellent train of artillery, and twice repulsing those very troops who had often chaced the chosen battalions of France, and at last retiring for want of ammunition, but in so respectable a manner, that they were not even pursued. Who can reflect on such scenes and not adore the constitution of government which could breed such men ! Who will not pause and examine, before he destroys institutions that have reared such elevated spirits ! Who is there that can dismiss all doubts on the justice of a cause which can inspire such conscious rectitude ? The conduct of the people of New England for wisdom, courage, temperance, fortitude, and all those qualities that can command the admiration of noble minds, is not surpassed in the history of any nation under the sun. Instead of wrecking our vengeance against that colony, their heroism alone should plead their forgiveness. What my worthy friend* said last year of

VOL. III. E their

* Mr. Burke.

their industry, may now be applied to their warlike achievements. Consider the power of such materials in the hands of a minister who knew how to encourage their industry, and apply their courage to the purposes of national defence: but all the secret of our colony government is now reduced to mere force, the baneful engine of destructive despotism; nevertheless it is with pleasure I perceive the force of this country, when wielded in such a cause, is totally inadequate; your own army is not sufficient; your illegal application for foreign mercenaries at the beginning of the contest, sufficiently shews your weakness; your navy is equally incapable of effecting the purposes which are expected from it. It may ruin their foreign trade; it may destroy some of their towns (though that is doubtful) but the lying in their rivers, as some suppose, without a superior military force to protect them on shore; I say as a sea officer, if the war is thoroughly kindled, the thing is impossible. We are apt to judge from what happened at Quebec, where the French, never remarkable for naval enterprize, though naturally brave, quitted their fire raft, and left it to the chance of the stream, or to be towed off by boats; but this I maintain, that any fleet lying in a river where they cannot command the shore, that such fleet is liable to be burnt if the people are willing in that enterprize to run the same risque of life and danger to which the crew of the ships are exposed, I mean by sticking by the fire vessel whatever she may be, till with wind and stream they lay the enemy a thawrt haufe; and who can doubt that the people in America are capable of such exertions of courage when we see them refuse quarter, when we find them devoting themselves to death with such enthusiasm. Another circumstance respecting ships is not generally known. The wonders they have hitherto performed has been owing to the ignorance of engineers in placing their batteries; but I am afraid the secret is now out as to their power against the shore, without a military force to assist them; a single gun in a retired situation, or on an eminence, or a single howitzer, will dislodge a first rate man of war, and may burn her, to add to the disgrace. I speak this publickly, that you may not expect more from the sea service than it is capable to perform. Ruin their trade you certainly may, but at an expence as ruinous to this country. Has any of the ministry considered the immense expence of such naval armaments on the coast of America, in transports and ships of war? Have we calculated the chance of destruction by those

those horrid streams of wind peculiar to that coast, that sometimes sweep all before them? Where are the resources on which this country can depend in case our empire in America is lost? I do not say you will feel the disadvantage immediately, I know the various channels to which commerce and industry may divert their streams; I am also certain that the wants of America must be supplied in some way or other with certain goods from Great Britain; I further know, that a nation can only trade to the extent of its capital, and in case one vent is cut off, it will probably find another, while its manufactures are cheaper and better than those of other nations. I believe such to be the case with many branches of our manufacture at present, but is it possible it can long continue? Must not the same laws of nature follow this commercial country that has affected Venice and Genoa, the Hans Towns and other commercial states? The acquirement of wealth must produce dearth in living; dearth of living must produce dearth of labour; dearth of labour must produce dearth of manufactures; dearth of manufactures must conduct trade to some place where cheapness of living will give the preference in the markets. Thus the circle of commerce has hitherto run: but the settlement of North America under the old establishment, seemed to defy the powers of those fleeting principles. America was bound to take your manufactures *only* to what ever price they might rise; you were bound to take most of her raw materials and to give her commerce protection; a compleat system in the exchange of all commodities was established within your own dominion, which might last beyond the views of human calculation, if properly conducted. This is the great purpose to which I look up to America as a naval and as a commercial power; how often have I indulged myself in these thoughts, unable to see the end of our glory from the same causes which have destroyed other states, little dreaming that one infatuated minister could tempt, seduce, and persuade a whole nation to cut the strings of such harmony. An honourable gentleman who opened the debate, has remarked how we recovered from the interruptions of our commerce during the last war. The honourable gentleman forgets that we had the free and interrupted resources of America during the last war; that in seizing the ships of our enemies we added to the national wealth and increased our own commerce; the progress was double, here it runs in an inverse proportion, no man knows the final effects as yet; like the bursting of a burning mountain, it is sport and play to

the distant spectators who think themselves safe, but the eruption may spread to cover this city in ruin.

I come now to consider the consequence of all those measures supposing we should succeed. If national strength is to be calculated from the fitness of every part to preserve and improve the advantages of their constitution and to support their country in pursuit of its objects. If institutions that secure property and prevent oppression, encourage the settlement of families, and facilitate the rearing of children, are the most favourable to mankind and therefore to be protected and preferred, as the best writer on government has asserted, surely the establishments of the English colonies, as excelling all others which have appeared in the history of the world, deserve to be revered in this respect. But a success in the present war after destroying all the principles which have produced those glorious effects in civil society, must leave the country desolate, must spread through that wide dominion, forfeitures, executions, change of property, military oppression, and every misery that can engender hatred and distract mankind. But these are but temporary evils, in comparison to the last dreadful catastrophe. It must establish a military despotism in the colonies, which the revenues of an oppressed people never can pay. An army that the men of this country can never supply, which therefore foreign mercenaries must fill, and all this with additional powers in the crown, that must end in the subversion of the constitution. I make no doubt many men labour in the support of this business, purposely to effect that end. The contentions in a free government do not accord with their feeble, corrupt, luxurious dispositions. That the spirit of the people should so long lie deceived by their arts and management, is to me astonishing. I shall wait patiently some farther calamity, for no reasoning on the certain progress of things in a growing empire can affect their narrow minds. That this may soon happen in a small degree, as the only means of saving the dissolution of the whole, I sincerely wish, for the good of the public; misfortunes if duly watched are oftentimes as profitable to an unfeeling multitude as they are useful to private individuals. But let those who now encourage measures that must inevitably end in such dreadful calamities, beware of the turn of the tide. Let them look into history, and remember the fate of cruel, oppressive and arrogant statesmen. Let even kings attend to the examples which history presents on this subject—but I blame

A. 1775.

Y D E B A T E S.

29

blame not them ; it is unnatural for beings, with human passions, placed in such high situations, mixing little with men, and generally deceived, to bear contradiction to their will, and opposition even to their arms, with any degree of patience : irritation and resentment must be the consequences ; encroachments on their part often proceed from a conscious rectitude of their own intentions : but the people I do blame is the members of this House, placed as the guardians of the people's rights and privileges, daily sacrificing them to some interested motive. Let any one consider all the national advantages that can be drawn from colonies, and ask his own heart, if we have not hitherto drawn, and may not in time to come draw all these from the antient constitution. To what motive then can these innovations be imputed ? I have shewed you the bad consequences in proceeding, shew me the good you propose from slaughter and devastation ; that the paymaster of the forces should urge you to those measures, that the treasurer of the navy should press for large equipments ; that contractors, jobbers, dealers in scrip, and all those who fatten on public supplies, should eagerly concur, this I can easily imagine ; but that a landed gentleman should give his consent to rush into a civil war, that must entail four shillings land-tax on his estate for ever, that must drain him of men and money, and all the resources of naval power, to protect his country against those neighbouring powers who will, in all human probability, attack him when defenceless and exhausted ; in a contest that must end, on whatever alternative, in lowering the value of his estate. All this exhibits a degree of infatuation, beyond example in my little reading, and can only be accounted for from the revival of ignoble party-distinctions, gratifying resentments at the expence of their country. Have the country gentlemen ever considered the expence of maintaining a war across the Atlantick ? Have they considered the expences of a fleet ? Have they calculated the amount of transports ? Have they thought of feeding an army with porter, sheep, and four-croût across a tempestuous ocean ? I am told a curious spectacle of such management has lately been exhibited in the Downs, where floating carcases of dead sheep have marked to passing nations the folly of such attempts. The project of four-croût has indeed one circumstance attending it that gives me pleasure---I understand the contract is given to one of the worthiest men in the community ; at the same time such magazines are new in my notions of war ;
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it may be a proper preparation for a Russian army, but I believe English soldiers will hardly be delighted with such gripping food. The project of calcining ice into gun-powder is not more truly ridiculous ! I shall suppose then for a moment, that war with America is really necessary ; yet will any man alledge, after such gross mismanagement in every part, that these are the proper men to carry it. Has there been consistency in any part of their conduct ? Has one scheme they have offered succeeded ? Has not every one produced a contrary effect ? Have they not been told so at the time of passing their various laws ? Have they been checked in any of their intentions ? Has any uncommon accident of wind or weather been unfavourable ? Can our affairs be possibly in a worse situation ? Do they state any rational plan of ways and means, by which we are to extricate ourselves ? If after answering all those questions in the spirit of truth and justice, this House will still persist in supporting such feeble ministers of so mighty an empire, I must submit to a majority, but with this melancholy consolation, when the day of tribulation shall come, that at least my feeble endeavours were not wanting to prevent the impending mischiefs ; nor has my voice been lent on any occasion in support of oppression. Other gentlemen of a contrary opinion to me, have declared they give their opinion for more coercive measures, from motives the most pure and disinterested : I declare I give my opinion against them, from the sincerest belief, they are oppressive and unjust. I am now at an age when my character must be fully known. A conduct in life that has not flattered the passions of men must have frequently called forth the examination of many with keen resentments : but I here defy any man to say I was ever actuated by interested motives during the course of my life. My conduct at present is influenced from a conscientious belief, that the greatest good any man can perform, is to preserve institutions favourable to the freedom of mankind ; the greatest evil they can commit, is to destroy them. In that belief I heartily vote for the amendment, and to the utmost of my power oppose this sanguinary address.

Rt. Hon.
George Rice.

Right honourable *George Rice* said generally, that the conquest of America was a popular measure in England.

Ld. Stanley.

Lord *Stanley*, said, he rose in the name of the freeholders of Lancashire, to avow the addresses from Manchester, &c. which he was well persuaded was the sense of the freeholders at large.

Honourable

A. 1775.

D E B A T E S.

31

Honourable *Temple Luttrell*. We might reasonably suppose, Hon. *Temple Luttrell*. that the ministers who had a hand in fabricating this voluminous speech, would be impatient to obtain our approbation and thanks as representatives of the community in general, in the name of the people of Great Britain, who are our actual constituents; in the name of the people of America, who, as they tell us, are our virtual constituents.

Those evil counsellors who have so long poisoned the ear of the Sovereign, would now make us believe they have perverted his principles also; they wish us to consider the speech before you as conveying his Majesty's own sentiments and resolves. Sir, we know that to be impossible. Our King is too humane, and besides, too well acquainted with the history of this country and its constitution, with the memoirs of the Stuart race, and of his own illustrious house, to imbibe the despotic doctrines here imputed to him. His Majesty knows, that whenever either of the three estates of this empire, or the whole in conspiracy together, shall arrogate power to which they are incompetent, such as infringing the original rights and liberties of the people in any part of the British dominions, it is the exertion of **such power**, not the resistance to it, which constitutes rebellion. If this be not the case, the glorious Revolution was, above all rebellions upon record, the most atrocious.

We who are the deputies of the people, assembled together from the different counties, cities, and boroughs of the kingdom, ought faithfully to impart to his Majesty the real wishes and dispositions of his subjects. As the first counsellors of the crown, it is our peculiar province to advise and direct his Majesty on every national emergency like the present. But, Sir, in order to qualify us so to do, affection to our king, obligation to our country, and sober wisdom, all combine in requiring the closest and most deliberate discussions, and the deepest researches into the true bias of the times, previous to the offering up any address to the throne whatever. An address at such a crisis as this, upon such important and decisive matters, cannot be considered as a mere point of *etiquette*, or personal compliment to our Sovereign; if it could, there is not a member of this House would be more forward in duty and obsequiousness than myself. Are we not totally ignorant of the real state of Great Britain and her colonies? Sir, the sense of the society at large is not to be ascertained by the signature of a score of provincial corporations, under corrupt ministerial influence; it is not to be ascertained by the voice of repletion and revelry,

velry, by a few mistaken individuals, brought together under the hospitable roof of a great baron's castle. Sir, within those battlements Kings are not, now-a-days, made or unmade;|| it is not to be ascertained by the cry of a few Tory justices, ductile magistrates, huddled together by their creator, the Lord Lieutenant of the county, to approve of proscriptions and proclamations, devised in councils where he himself takes the lead as president.* Sir, I will tell the noble Lord who spoke last,† that if the people of Lancaster, Liverpool, and Manchester, were the oracles of British law and policy, the electors of Hanover had never swayed the imperial sceptre of this realm. I admire, however, the spirited zeal and consistency of the addressing inhabitants of that part of England; I admire their firm reverence for the divine authority of Kings, their defence of popery, of arbitrary government, and sword law. The same political tenets which now fill the heads of these loyal addressers, filled also the heads of their townsmen in forty-five and forty-six. Those heads, which being impaled over Temple-bar in the last Whig reign, were soon after the commencement of the present, when a mighty Northern Thane came into office, taken down with veneration, and are now, 'tis said, enshrined in a certain interior cabinet, where a Right Honourable household officer in my eye, and others of the White Rose junto, frequently offer upon a bended knee their secret oraison and incense. Sir, the noble Lord who spoke last, and the Right Honourable member who delivered his sentiments earlier in the debate, have assured you,‡ that the sense of this country is against the Americans. I am confident, as well from the intelligence I have been able to procure from a multitude of persons widely different in station and description, as by my own remarks in the progress of many a journey through the interior of this island during the summer season, that the sense of the mass of the people is in favour of the Americans. They think that the provocation given by a rash and insufficient ministry to the colony of Massachusetts's bay, in lawless and oppressive exactions, enforced by famine, devastation, and slaughter, at length constitutionally justified an appeal to arms. A very learned judge

|| Alluding to the famous Earl of Warwick, who alternately deposed Henry VI. and Edward IV.

* Earl Gower, in the county of Stafford.

† Lord Stanley.

‡ Lord Stanley and Mr. Rice.

who

who now does signal honour to their coif, assure us, in his excellent book of commentaries, that every freeman is warranted in the use of arms for defence of his rightful possessions and liberty? And that great luminary of his profession, Lord Chief Justice Holt, in pronouncing judgment on the memorable case of Tooty and Dekins, says, "When the liberty of the subject is invaded, it is a provocation to all the subjects of England." Where then will these grievances, this civil war and carnage, terminate? I shall now borrow the words of Sir Charles Sedley, in the last age, to express my astonishment, that a nation sick at heart, as our's is, should wear so florid a countenance. But, Sir, is it not that hectic bloom which is frequently found to accompany a radical decay of the constitution, or rather some artificial beautifier spread over the surface of a cadaverous substance, for popular show and delusion? We have heretofore found it expedient, when this kingdom has been shaken to its foundation from one extremity to the other, as it now actually is; when the original compact between the governing power and the subject has been differently construed, and in danger of being totally dissolved; I say, Sir, that the Commons in Parliament assembled, have found it expedient to enquire in the first place into the actual state and condition of the nation in general: for this we have a recent precedent, almost within the memory of man, not strictly speaking in the journals of the Parliament, but in the journals of a national and constitutional assembly, which has done more good than all your Parliaments since the days of Henry III. put together, which restored and established on a firm basis the Protestant religion, and civil liberties of the people, and which brought in the amiable families of Nassau and of Brunswick, to maintain that religion, and to protect us in the enjoyment of those liberties: I mean, Sir, the Convocation, or Congress, in the year 1688, whose acts and resolutions ought, like the leaves of the sybils of old, to be sanctimoniously reverted to, at all times of state perplexity and peril: I therefore desire, that the motion made at the opening of this Congress, commonly called the Convention Parliament, and which was the ground-work of the Revolution, be now read.

The motion was then read, which stands upon the Journals in the following words: "That the House do appoint a day to take into consideration the state and condition of the nation," which motion passed, *nemine contradicente*, for the Monday following.

I now move you, Sir, that this House do appoint a day to take into consideration the present state and condition of Great Britain and her colonies, in order to ground thereupon an affectionate and dutiful address to the crown, in an answer to his Majesty's speech this day delivered from the throne.

I am sorry not to see the Honourable Member who proposed, and so ably supported this address, now in his seat, or I flatter myself he would acknowledge his motion premature, and admit of the necessity to take the preliminary step of ascertaining the temper and resources of Great Britain and her colonies, in order to address his Majesty with good effect; when we shall, I trust, open his eyes to the manifold impositions put upon his royal confidence, by some dark and dangerous parricides, ambushed too near the throne, and help him to restore that peace, good order and happiness, throughout all his dominions, without which it is impossible that he can continue to reign over us with security; or that so pious and benevolent a prince as he is, though he wears the most brilliant diadem in Christendom, can make it sit easy on his brow.

Gen. Conway.

General Conway, against the address, apologized for opposing the king's servants, but thought it his duty to oppose this address, because it approved of the American war. He condemned that war as cruel, unnecessary, and unnatural; called it a butchery of his fellow subjects, to which his conscience forbade him to give his assent. Though joined with the king's servants, he detested that principle of implicit support of every measure of government; and was severe upon those officers of the crown, who, because they are linked with others in administration, think they are bound to wade through thick and thin with their colleagues. He demanded, with an emphasis, what was the state of the British empire in America? Called upon the noble lord in the blue ribbon [lord North] to give it, or at least to lay some information of the state of affairs in America before the House. Asked administration what part of America was to be called their own? Is Canada yours? he said; Is Halifax yours? At this time, is even Boston yours? It is reported, that Boston is to be abandoned; where then are the troops to be landed in the spring? Are they, like the first emigrants from this country, to sail along the coast till they find a place? He reprobated the idea of conquering America, declared explicitly against the right of taxation, and wished to see the declaratory law repealed, since so bad an use had been made of it.

Lord

Lord *George Germaine* replied, in favour of the address; ^{Ld. George Germaine.} but did not say any thing new, except that he had received a letter from General Burgoyne, who said, that notwithstanding the distresses and obstacles the King's troops met with, they were zealous and determined in defence of their country.

Capt. *Luttrell*. I confess that I do not feel much surprize ^{Capt. Luttrell.} at the inflammatory language of some gentlemen opposite to me, for I am persuaded from the vindictive, cruel, and oppressive measures they have recommended and pursued towards our fellow subjects in America, during the recess of Parliament, they determine to stake the prosperity of both countries to their own emolument and revenge, and at every risque to endeavour to keep their places as long as they can, without attending to reason, humanity, justice, or good policy; therefore with them, as with the mercenary and necessitous, it may be in vain to argue, for they will probably be found as callous to conviction as the leaders of administration are, who instead of being convinced of the fatal errors they have already been guilty of, by the most horrid scenes of bloodshed, seem with equal rashness to be precipitating the colonies, the West-India islands, this country and all its dependencies, into every species of wretchedness, poverty, disorder, and distress, that can render us miserable or contemptible abroad. But, Sir, a chance still remains that we shall be able to avert these impending dangers; it is that we may meet protection from the independent gentlemen of England, and from those who have been deceived by the misrepresentations of such artful and designing men as I shall endeavour to mark by separating the voice of faction from that of truth. We have found, Sir, by woeful experience from which side of the House misinformation has hitherto come. The noble Lord and his adherents, to obtain the support of those whom no private interest or party zeal could bias, assured us in the last session of Parliament, with a confidence and plausibility too sufficient to impose upon such as neither doubted their integrity, nor were aware of the enthusiastic spirit for liberty which at that time prevailed throughout all America, that the dispute was by no means of the alarming nature gentlemen apprehended; that it was a contest between a single province and this country; that the Americans in general were friends to government, and waited but the arrival of a single regiment to manifest their approbation of measures, which we were told, were just, political, necessary, and eventually would prove successful. The noble Lord had not a single doubt, but that peace, reconciliation, and good fellowship would take place speedily, happily, and

and without bloodshed : but he assured us, if the contest continued we stood upon ground that would enable us to enforce by arms an acquiescence with those laws we had a right to impose. That the insurgents neither merited protection from this nor from that side the water, for they had added the crime of the highest ingratitude to illegal resistance ; that the late war was an American war, undertaken merely for their protection and support, which had involved this country in a heavy debt, and now they refused to contribute to it ; in short, that the contest was whether New England or Old England should get the better ; though I fear this will prove the most losing game, on both sides, that ever was played ; for no penetrating eye yet can discern if the victors or the vanquished will eventually be the greatest sufferers. Sir, a right honourable member too, who enjoys a very beneficial employment, told us, for our comfort, that our fellow subjects in America were indiscriminately a race of cowards ; that they would not abide the resolves of the congress, nor ever be brought to face General Gage's army ; Sir, with language like this, dressed in the best attire of eloquence to render it persuasive, and the temporary bait of three shillings land-tax, of which I fear we may take our leave, for ever have administration endeavoured to lull gentlemen into a political lethargy ; if with success, I hope they will awake at this critical moment, and pause at least before they concur farther in measures which must render us a nation bankrupt in men, in treasure, and in consequence. Now, Sir, what did we learn from this side of the House, and from some gentlemen near me of rank, property, character, and integrity ? Why, that administration were either very ill informed themselves, or meant to deceive us ; that the dispute was unfortunately of a more serious tendency than probably any gentleman had formed an idea of ; that it was by no means what the noble Lord represented, a partial dispute between a single province and this country, but the manly, firm, laudable, and constitutional efforts of free-born subjects to preserve, at the risque of their lives, that liberty with which their fore-fathers emigrated and which have been hitherto (long may it continue so) the natural produce of this soil ; that the late acts of Parliament respecting America were reprobated from one end of that continent to the other, as the most arbitrary violation of the liberties of mankind in general, and of their rights and privileges as English subjects in particular, which they would never sacrifice to the pride, ambition, or persecution of any set of ministers whatsoever. Now, Sir, by truth's fair test let the foes as well as the friends of America be judged.

judged. Was the dispute of the trifling nature government represented, and are the Americans so easily to be vanquished? Have they not hitherto conformed to the resolves of the congress as minutely as to any laws upon the face of the earth? Will they not fight in a just cause? and may they not even be provoked to face General Gage's army? In short, Sir, has not the notorious fallacy of every argument of administration in the course of a very few months, been made manifest to the universe. But I am aware it will be said by some, that the Americans are neither exonerated from the charge of ingratitude, nor an attempt to become an independent state. To these, I answer, that these are assertions weak and absurd as those I have recapitulated, and will equally fail in proof; for you must either deny that America is like any other mercantile nation, which derives its wealth and consequence from commerce; or admit that without one ship of force to boast of, she must for the present at least, and probably for a century to come, seek the protection of some great maritime power, or be subject every day to have her coasts insulted, or her trade destroyed, by the most piratical petty states that can boast a muschetto fleet, in the like manner they now unfortunately and unjustly experience from the formidable navy of England, whose interest as well as duty it is to protect and defend them. Sir, on the score of ingratitude, I must observe, that where great nations, like France and England, ever jealous of the power of each other, feel themselves in a situation to take up arms, they will not be long finding an occasion; but it so happens that the first hostilities previous to the late war commenced in Asia, not in America, the battle of Arcott was fought by lord Clive (then captain Clive) against the French; that of Trichinopoly by major Lawrence, and a powerful fleet ordered to India, under the command of the admirals Watson and Pocock, before the French were known to have committed any encroachments on the Ohio; but, Sir, the ministers of those days, in every respect very unlike the present, regarded America as a mine of inestimable value to this country, and were therefore tenacious of every acre of that possession; they had spirit enough to resent the insults of foreign powers, and wisdom enough to see the importance of the contest; that it was not merely whether you would suffer the French to harass our fellow subjects in America, which humanity or justice ought to have forbid their acquiescence in, but that it was of no less moment, than whether the colonies should remain dependent upon England, or become an appendage to the crown of France. Sir, the French at that time were not only masters
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of the best fortresses and most accessible harbours in America, but of a vast tract of territory there, exclusive of the great possessions of the Indians, whom they had artfully, politicly, and industriously gained over to their religion and interest, by whose assistance they defeated your army under general Braddock, and would probably have become masters of the country, had you not fortunately intercepted their reinforcements and beat them at sea. Sir, the advantages you derived from that victory, to the fatal hour in which you madly threw them away, I will not take up the time of the House to enumerate, though they are very many that fall within the scope of my superficial knowledge; I will only say, that in addition to the increase of some millions annually to your public stock, the wealth, prosperity and consequence of your West-India islands are all derived from America; she, Sir, has furnished them with the necessaries of life, and with almost every kind of store fitting to carry on their works. She has taken in barter their rum and molassos; the sugars have been mostly sent to this country, and the nett produce of them circulated amongst us. Now, Sir, the planter may seek a distant market for his commodities; he must purchase his stores with specie at vast disadvantage; part of his plantation will be turned into provision grounds, and the losses he daily sustains by this unfortunate dispute will inevitably encrease every hour it continues: but I expect to be told, as we were last year, that these are imaginary grievances, temporary inconveniencies, and short lived distresses. Here, Sir, admitting that the late war was undertaken merely for the support and advantage of the Americans, then, Sir, to them we fortunately owe the great and flourishing state of this nation at its conclusion. How unlike, Sir, was that war to the present! It was constitutional, honourable, popular, prosperous, and glorious. This, Sir, is unnatural, unjust, unprofitable, cruel, and revengeful. It commenced, Sir, in ignorance and despotism, and is pursuing with a rancour bordering upon madness, which can end, at best, but in the destruction of your colonies, with the loss of your troops. Then, Sir, is the lives of the bravest and most valuable officers and soldiers this or any other country ever produced, the only tribute that can satiate the blind passion and revenge of administration? Why will they not relax a little, and be satisfied to entrust the execution of their blood-thirsty measures to such as are better suited to the temper and disposition of their employers. I mean their favourite army of bigotted Canadians, and Roman Catholic marines, now raising in Ireland, and fitting for such laudable purposes. They

They, Sir, are the natural enemies of both countries, and if they prove successful, will be ready to obey the first beck of their masters, and return with swords stained in the blood of every American province to enforce either the declaratory act, a popery bill, or any arbitrary assessment of administration in Ireland. For we have been told by very prevailing authority, [Mr. Rigby and Mr. Charles Jenkinson,] that the establishment of their Parliament does not preclude us from taxing them, which we may, and ought to do whenever we judge proper; for that the Irish had the power to make bye laws, but nothing more. Indeed, the minister of that House of Commons insists that this is but the rash opinion of some individuals, not that of government; I wish he may be right, for I fear the Whigs and Protestants of that country would be able to make but a faint resistance against such an army. Which way they might probably be next disposed of, I will not venture to foretell. But, however pleasing or beneficial the smiles or friendship of ministers may be, it is with a heart-felt satisfaction I reflect that I differ as widely in principle as in politicks from a set of men, whose aim, I am afraid, is the subversion of the constitution, whose delight appears to be in blood, and in destroying the peace of millions.

Colonel *Barré* entered minutely into the particulars and Col. *Barré*. consequences of the summer campaign, described the situation of the King's forces as on a wen, or little excrescence of land, blocked up within the town of Boston, and the fleet not even master of the river in which it lies; he drew a conclusion, that if an army of 22,000 of our forces, with 20,000 Provincials and a fleet of twenty-two sail of the line, with more than as many frigates, were three years in subduing Canada, though completed every spring—what little prospect could there be for 10,000 men to effect the conquest of all America.—He told the minister, that as he expected but little information from him, he would give him some: that he had received a letter from a Major Caldwell who was settled on a large estate in Canada, who assured him, that the Canadians were not by any means to be driven into the war; that he had tried the arts of persuasion in vain; that he assembled about 1200 of them together, who came with large sticks, but had concealed 400 firelocks in the woods, which they were determined to make use of against the English, if they forced them to take either side. He said, that General Carleton and Lord Pitt, were within a quarter of an hour of falling into the hands of Jeremiah Duggan, a barber, who was now a Major
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in the Provincials. He laid the blood of his gallant friend Colonel Abercrombie at the Minister's door; a man, whom particular circumstances (which he could not then mention, but which the noble Lord was well acquainted with) should have secured from such a fate. He added, as to himself he stood there, it was true, an humble individual, brought into Parliament with reluctance on his own part, by the hand of friendship; that his Majesty thought proper to call him into his service; but, when the matter of general warrants was discussed in the House, and his conscience directed him to oppose the measure, which he modestly did by a silent vote, a younger officer was purposely put over his head, as an intimation that his services were no further necessary; he retired, without repining, on a scanty pittance, as he would have done to the most mortifying state, without a murmur. His Majesty again thought proper to call him into his service, and made him one of the joint vice-treasurers of Ireland, which he held but a short time, owing to a change of both men and measures. Since that time, he had retired with the name indeed of Colonel; yet, in truth, simply but Mr. Barré. He desired the noble Lord before him, to say if he had ever solicited the smiles of government; nay, ministers had empowered him since the last sessions to say more;—but he should be silent.—In touching on the war-office arragnements, in America, he said, though he had lost one eye in America, he had still one military eye left, which did not deceive him. The Americans had been called cowards; that the noble Lord at the head of the admiralty had wantonly raked up the ashes of a deceased admiral, to confirm his hasty assertion; but now he had sent for a living admiral home, to give the departed one the lie; as to cowards, they were certainly the greatest to his knowledge; for the 47th regiment of foot, which behaved so gallantly at Bunker's-Hill, (an engagement that smacked more of defeat than victory)—the very corps that broke the whole French column, and threw them in such disorder, at the siege of Quebeck, was three parts composed of these cowards.—He would not say much of himself in a military capacity, to give weight to this account; yet it could not but be flattering to him to reflect, that the dead Wolfe, and the living Amherst, honoured him with their esteem.—He animadverted with great severity on the Minister having said some time ago, that if Parliament would give him the men and money he asked, he would immediately pilot them safe through this American storm. He then ridiculed the absurdity of General Gage's signing the flowery answer to General Washington's clear and manly

manly letter: affirmed that the letter was not the composition of the commander in chief, but that he was compelled to father it by superior powers. He was a good officer, but a plain man. Spoke highly of General Howe, and General Washington. He concluded, with a recommendation to the minister, to embrace the present, the only moment tolerated by Heaven for an accommodation with the Americans; if they were driven a step farther in resistance, the whole American continent was lost for ever. He said, as he had mentioned General Gage's letter, a quotation from it might now supply him with a general inference, with which he would conclude, as a seasonable *memento* to administration.—*Be temperate in political disquisition: give free operation to truth, and punish those who deceive and misrepresent; and not only the effects, but the causes, of this unhappy conflict will be removed.*

Lord *Barrington* denied the disaffection of the officers, &c. Lord *Barrington*. assured the House, that they would receive satisfactory accounts to the contrary in seven or eight days.

Mr. *Wedderburn* replied to Colonel Barré, accused him of drawing false inferences from his own premises; defended vigorous measures against America. Said sixty thousand men ought to be sent to reconquer that country; it was a system that must be pursued with spirit, even though we lost all the towns and provinces upon that continent, to put us upon a proper footing to negotiate with them. Mr. *Wedderburn*.

Mr. *Burke* repeated some expressions of Lord North, on American affairs, some time since; such as, that he would bring the Americans to his feet, &c. and contrasted them with the late events in America; which caused a good deal of laughter. He afterwards compared the Americans to a people who had emancipated themselves, and described the mother-country as a piratical disturber of the ports and trade of the colonies. He spoke largely on the disgrace brought upon the British arms, by being cooped up a whole campaign in Boston, by those who had been called an undisciplined cowardly rabble. He strongly represented the danger to Great-Britain in carrying on the American war; and concluded with advising the ministers to meet America with a friendly countenance, nor longer let England appear like a porcupine, armed all over with acts of Parliament, oppressive to trade and America. Mr. *Burke*.

Mr. *C. Fox* described Lord North as the blundering pilot who had brought the nation into its present difficulties. Administration, he said, exult at having brought us into this di-

lemma. They have reason to triumph. Lord Chatham, the king of Prussia, nay, Alexander the Great, never gained more in one campaign than the noble Lord has lost—he has lost a whole continent. Altho' he thought the Americans had gone too far, and were not justifiable in what they had done, yet they were more justifiable for resisting, than they would have been had they submitted to the tyrannical acts of a British parliament—that when the question was, whether a people ought to submit to slavery, or aim at freedom by a spirited resistance, the alternative which must strike every Englishman was, the choice of the latter. He took occasion to speak of his father, and the fluctuation of ministers at the commencement of the last war. He declared his father was secretary of state only four months, and finding himself without power, and merely a nominal minister, he did as every man of spirit should do on such an occasion, he gave up his place. He then applied this observation to the noble Lord on the Treasury-bench, and in a very pointed manner intimated that it was high time a change of men took place, that a change of measures might accompany it. He took occasion to mention the political distinctions of Whig and Tory, and describing the present ministers as enemies to freedom, declared they were tories. He made a comparison between the conduct of administration and the conduct of America, shewing the weakness, the error, and the imprudence of the former, and the firmness, the spirit, and the just pursuits of the latter. He combated the argument in the King's speech which inferred that America aimed at independency; and by a chain of reasoning, he shewed, that to be popular in America it was necessary to talk of dependance on Great Britain, and to hold that out as the object in pursuit. He rallied Lord North on the rapid progress he had made in misfortune, having expended nearly as large a sum to acquire national disgrace as that most able minister Lord Chatham had expended in gaining that glorious lustre with which he had encircled the British name. He did not approve of every thing done by that noble Lord [Lord Chatham] but all must confess his great and surprizing talents as a minister. He declared opposition to be cordially united in every part. He retorted on administration for their having last year aroused the younger part of the House by their appeals to the spirit of Englishmen to enforce vigorous measures, and asked whether that spirit was discernible in the pitiful party of the military sent to Boston, or in the vigorous measures of that party; declaring, that if the spirit the ministry had appealed to was still in existence, it would not be possible
for

A. 1775.

D E B A T E S.

43

for them to keep their places. After severely rebuking them for endeavouring to shift the blame from themselves to General Gage, he concluded with advising administration to place America where she stood in 1763, and to repeal every act passed since that period, which affected either her freedom or her commerce.

Lord North said, he held the pity and contempt of the honourable gentleman [Mr. Fox] in equal indifference. He declared that the words quoted with so much humour by the hon. gentleman [Mr. Burke] had never been used by him in the sense to which he had applied them, and complained of the injustice done him both in the English and American news-papers, by printing false accounts of his speeches in parliament. Respecting the observations made by the last honourable gentleman [Mr. Fox] on the changes in the ministerial departments at the commencement of the war, he begged the House to recollect, that though the men were changed, the same measures were pursued, but that for his own part he wished not to remain a day in office after he was thought inactive, inattentive, or inconsiderate. That if the scheme of repealing every American act passed since 1763, was adopted, there was certainly an end to the dispute, for from that moment America would be independent of England. That many of the acts were framed for the necessary support of the superiority of the mother country, on points in which her right of superiority had never been questioned till America was refractory; that all of the acts were rather acts of justice than of cruelty, and that the act preventing the colonies from trading with other countries, which the gentlemen in opposition made so much rout about, was not passed till the colonies, by a non-importation agreement, had refused to trade with England, who had nurtured them to their present greatness, and had therefore, on the principles of gratitude and recompence, an exclusive right to the benefits of their commerce. His lordship then said, that if he understood the meaning of the words Whig and Tory, which the last speaker [Mr. Fox] had mentioned, he conceived that it was the characteristic of whiggism to gain as much for the people as possible, while the aim of toryism was to encrease the prerogative. That in the present case, administration contended for the right of Parliament, while the Americans talked of their belonging to the crown. Their language therefore was that of toryism, although, through the artful designs of the real enemies of freedom, the good sense of the people of England was endeavoured to be misled, and false
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opinions

opinions were industriously inculcated throughout the kingdom. The speech and the proposed address, his lordship said, tied the House down to no point, it could not therefore be of ill consequence to carry the latter to the throne. That the measures administration meant now to pursue, were to send a powerful sea and land force to America, and at the same time to accompany them with offers of mercy upon a proper submission. "This (concluded his lordship) will shew we are in earnest, that we are prepared to punish, but are nevertheless ready to forgive; this is, in my opinion, the most likely means of producing an honourable reconciliation."

Mr. Dunning.

Mr. *Dunning* against the address. Had heard it was the intention of administration to send a large force to America to compel submission, and that foreign troops were introduced into the British dominions for that purpose. He said, the measure ought not to have been taken without the consent of Parliament. Without such consent he peremptorily pronounced it to be illegal. To this is to be added, not only the disgrace, but the bad tendency and evil consequences of which this measure may be productive, if suffered to pass into a precedent.

Mr. *Thurloe*.

The *Attorney General* [Mr. *Thurloe*] in support of the address, declared that in his opinion, there was no illegality in the measure of sending Hanoverian troops to garrison the fortresses of Gibraltar and Mahon, and therefore that no bad tendency or evil consequences could arise from it.

Sir *A. Fergusson*, Mr. *Rice*, Mr. *Jolliffe*, and Mr. *Freeman*, spoke likewise for the address; and Sir *Edward Astley* against it.

At a quarter past four o'clock in the morning the House divided upon the amendment; for it 108, against it 278.

The following is a List of the Minority upon this Division.

Gen. Acourt Ashe

Serj. Adair

Evelyn Anderson

Sir Edward Astley

Rt. Hon. Isaac Barré

Charles Barrow

Nathaniel Bayly

Lord Ch. Ed. Bentinck

Richard Benyon

Hon. Peregrine Bertie

Thomas Brand

Sir Henry Bridgeman

Edmund Burke

Lord George Cavendish

Lord Frederick Cavendish

Lord John Cavendish

Lord Richard Cavendish

Ld. G. Aug. Hen. Cavendish

Jervoise Clarke

Sir Robert Clayton

Wenman Coke

Rt. Hon. H. S. Conway

John Cooper

Ric. Hippis, Cox

Laurence

A. 1775.

D E B A T E S.

45

Laurence Cox
John Crewe
George Dempster
John Dunning
Paule Fielde
Savile Finch
Sir Mich. le Fleming
Thomas Foley, junior
Viscount Folkstone
Hon. Charles James Fox
Sir Thomas Frankland
Ambrose Goddard
Lord George Gordon
Charles Goring
Ralph Gowland
Marquis of Granby
Robert Gregory
James Grenville, junior
Sir William Guise
John Halliday
Rt. hon. W. G. Hamilton
Sir Harbord Harbord
David Hartley
George Hayley
Richard Hopkins
George Hunt
William Husley
George Johnstone
John Johnstone
Hon. Augustus Keppel
Lord George Lenox
Sir James Lowther
Earl Ludlow
John Luther
Hon. Temple Luttrell
Hon. John Luttrell
Joseph Martin
Sir Joseph Mawbey
Hugo Meynell
Sir Thomas Miller
Sir John Moleworth
Crisp Molyneux

Frederick Montagu
Hans Wintrop Mortimer
William Nedham
Richard Oliver
Henry Peirse
Charles Anderson Pelham
Sir James Pennyman
Nathaniel Polhill
Alexander Popham
William Pulteney
John Radcliffe
Sir George Robinson
Sir John Rushout
Samuel Salt
Sir George Savile
Sir Charles Saunders
John Sawbridge
James Scawen
Robert Scott
Charles Fitz. Scudamore
John Scudamore
Henry Seymour
John Smith
Frederick Standert
Walter Stanhope
Thomas Thoroton
Rt. hon. T. Townshend, jun.
John Trevannion
George Forster Tuffnell
Charles Turner
Earl of Tyrconnel
Earl Verney
Hon. Geo. Venables Vernon
Sir William Wake
Hon. Thomas Walpole
Hon. Richard Walpole
Hon. R. Boyle Walsingham
William Weddell
Viscount Wenman
John Wilkes
Jacob Wilkinson
Sir George Yonge

Tellers, W. Plummer and G. Byng, Esqrs. 110.

Mr.

Mr. Speaker laid before the House the following paper.*

To the King's most excellent Majesty, the Lords spiritual and temporal, and the Commons of Great-Britain in Parliament assembled.

The address, petition, and memorial of the representatives of the freeholders of the province of Nova Scotia, in general assembly.

YOUR loyal and ever dutiful house of assembly of the province of Nova Scotia, most humbly beg leave to address our gracious Sovereign, and both Houses of Parliament, at this dreadful and alarming crisis, when civil discord, and its melancholy consequences are impending over all British America

Actuated by the warmest ties of duty and affection to the person and family of our most gracious sovereign, animated with the firmest attachment to the mother country, zealous to support her power and consequence, over all the British dominions, and dreading a separation from her government and protection, as the greatest political evil which can befall us or our posterity.

Influenced by the principles of humanity and the just rights of mankind in civil society, we tremble at the gloomy prospect before us, we feel for our gracious King, we feel for our mother country, of which many of us are natives, we feel for the British American race, once the most loyal, virtuous, and happy of mankind; animated with such principles, may we not approach the supreme legislature of the British empire, and as dutiful children of just and indulgent parents, may we not most humbly solicit for such regulations as we conceive most likely to preserve the inhabitants of this province in duty and allegiance to our King, in rendering permanent their connection with, and dependence on the supreme legislature of Great-Britain, and preserving inviolably to us, and our posterity, the just rights of men in civil society.

We are fully sensible that we have no right to pray for redress of grievances, to request privileges or regulations, unless we acknowledge your right over us; therefore we the
representen-

* He said he received it during the recess, by the post.

representatives of the freeholders of Nova-Scotia, do unanimously most humbly acknowledge our gracious sovereign George the Third, king of Great-Britain, the Lords spiritual and temporal, and the Commons of Great Britain in Parliament assembled, to be the supreme legislature of this province and of all the British dominions, and that it is our indispensable duty to pay a due proportion of the expence of this great empire.

Having thus, as obedient subjects, acknowledged our duty to our King, and our willing submission to the supreme legislature of the British empire, we humbly request the right of being heard in respect of our grievances or wishes; and as our proceedings in this assembly may possibly have some influence with other assemblies in America, we humbly hope it will not seem presuming if we enter on the subject.

We humbly conceive it will be necessary to the peace and happiness of the British empire, that the tax to be raised in the colonies, and which shall be at the disposal of the British parliament, and the proportion of each colony toward the imperial expence, should be of such a nature, as it may never after be necessary to alter it.

We are also humbly of opinion, that this tax should be of such a nature as should not depreciate, but should increase in the same ratio with the affluence of the inhabitants of this province.

We are also humbly of opinion, that the tax should be of such a nature, as not to be liable to be affected by the increase or diminution of the metals of gold and silver in the world.

From these considerations we humbly offer it as our opinion that the fittest tax for this purpose would be a duty of so much per cent. upon all commodities imported into this province, not being the produce of the British dominions in Europe and America, (except the article of bay salt): this tax will include almost all the luxuries made use of, and will increase in an equal ratio with the affluence of the inhabitants; and if the rates of the several articles are fixed every ten years, for the future and subsequent ten years, it will not be liable to depreciate in value by the increase of the metals of gold and silver.

We therefore humbly pray that the supreme legislature of the British empire will please to accept of a tax as above pointed out; and so conscious are we of your justice and humanity, that we request to know what proportion would be pleasing or agreeable to you; reminding you to consider,
that

that this province having no manufactories or lucrative commerce, must ever have a scarcity of specie.

We also humbly pray, that when the exigencies of the state may require any further supplies from this province, that then such requisitions may be made in the usual manner formerly practised, whereby we may have an opportunity of shewing our duty and attachment to our Sovereign, and our sense of the cause for which the requisition is made, by which means, and that only, our gracious Sovereign can be acquainted with the true sense of the people in these his distant dominions.

We also humbly pray, that you will permit us, and instruct your governor to consent to an act to disqualify and deprive every member of the community from the rights and privileges of a subject in civil prosecutions, who shall be detected in any illicit trade or fraudulent dealing, together with their aiders, abettors, or concealors, in this or any other branch of the revenue.

This will render unnecessary a multitude of officers employed to detect illicit trade, and prevent that disgust and evil spirit which has been created by their insolence, and will prevent that corruption of manners, and that contempt of the crime of perjury, which is now become so open and flagrant. We humbly request that you will appoint good and sufficient salaries to the officers of the customs, and absolutely forbid them to take any fee, in any case whatsoever, as we have found that the detail of revenue-duty, in all its departments, have been clogged with unnecessary forms and trifling regulations, to increase the fees and perquisites of the officers; and are also humbly of opinion that if those officers were under the controul of the governor, the council and judges of the supreme court of this province, it would be more for the advantage of his Majesty's service and the good of the revenue. We also humbly request, that if the mode of taxation be pleasing to you, that you will permit and order the legislative council, and the judges of the supreme court for the time being, to determine and affix the rate of the taxed articles, every ten years, for every subsequent ten years.

Your ever dutiful, loyal, and affectionate house of assembly would not in these unhappy times presume to mention their own grievances, or request any particular privileges, lest you should suppose they were meant conditional of their just duty and allegiance this day acknowledged: but as the humble

ble friends of our King and mother country, may we not respectfully point out those measures which may best tend to preserve the inhabitants of this province in loyalty and allegiance, and although we are not at this time in such circumstances as to raise a revenue for the support of the interior civil government of this province, agreeable to the present plan established by his Majesty, and which seems absolutely necessary for the dignity of government in a country, whose particular situation and advantages are such as may probably induce government to order it to be the head quarters of the British land and sea forces in America. But although we may be unable wholly to support so large yet necessary civil list, yet we are willing to set apart a fund for that purpose, which will necessarily increase with the opulence and number of the inhabitants, and will in time relieve our parent state from the heavy burthen of our support; our poverty as a province will not prevent a British King and Parliament from hearing and justly relieving us, when as humble and dutiful subjects, and being well acquainted with this country and its inhabitants, we only beg leave to inform our gracious King and Parliament with the measures which we conceive would best tend to the peace and happiness of this country.

We therefore most humbly presume to offer as our opinion, that no native of this province may ever be appointed a governor or lieutenant governor in this province, the ambition of affluent individuals in the provinces, to acquire governments, have led to faction and parties, subversive of the peace and happiness of the people, the good of the province, and the honour of government, probably the present disputes in America may have been promoted by this cause.

We are humbly of opinion that the members of the legislative council should be appointed for life, and that no person should be appointed a member of the council, unless he be possessed of landed property in the province, to the value of one thousand pounds at least; and we most humbly pray that no collector or under officer of the customs, or any officer who is directly or indirectly concerned in the collection of the provincial revenue, may ever be admitted to a seat at the council board.

We humbly pray, most fervently, that the officers of the customs; and every officer concerned in collecting the provincial revenue, may be prohibited from serving as representatives in general assembly.

We humbly pray that the elections for the representatives of the people may be triennial, may be by ballot, and that the day of election triennially may be fixed by law, and that every officer of government be particularly prohibited from interfering in elections under severe and heavy penalties.

We humbly pray that the judges of the supreme court of this province may have their commissions during good behaviour, in the same manner as in England.

We humbly pray that after the decease of the present judges, that all future judges may be appointed in England, and may not be natives of this province; we can trace the present unhappy disorders in America to the want of a regulation of this kind.

We humbly request your Majesty will graciously permit the legislature of this province to ascertain the number and boundaries of the several counties in this province.

Most gracious King, grant and permit us a sheriff in each and every county, and deliver us from a provost marshal, presiding over this whole province, whose influence, owing to the nature of his office and the number of his deputies, must be excessive, and whose power in elections is absolute; if we are not relieved in this particular, we can have no pretensions even to the name of freemen.

We humbly pray that your Majesty will graciously permit and order, that a recorder of deeds and conveyances be appointed in each and every county, and not a deputy to a principal residing elsewhere.

Our gracious King cannot be insensible of the great necessity there is that the most respectable persons in the community be appointed to the commissions of the peace; legal authority unless aided by the good opinion of the people, can have but little effect; probably the reason why the most respectable persons decline the office, is because they are liable to be dismissed unheard, the want of power in the magistrates to execute or enforce the laws has been a general complaint in America.

We humbly pray that the governor, council and judges of the supreme court may constitute a court of vice admiralty throughout the province, to determine all causes cognisable in such courts, agreeable to law and equity, and to receive no fees therefor.

We humbly pray that any two or more of the judges of the supreme court, and a jury ballotted for and struck by the parties, shall constitute a court of equity in all civil cases through-

A. 1775.

D E B A T E S.

51

throughout this province, subject only to appeals to his Majesty in council, where the property contested may amount to five hundred pounds sterling or upwards.

We humbly pray to be delivered from the oppression of practitioners in the law, and pray that in all civil actions their fees, charges and perquisites may be limited to five *per cent.* on all sums declared for or defended; it is not the desire of our good King to have his quiet and inoffensive subjects in this quarter of the globe given up to be persecuted by a few rapacious men.

Most benign King, your Majesty was graciously pleased to grant tracts of land in this province, upon various conditions of settlement and payment of quit-rents, many of the conditions of settlement were impracticable, and others so expensive that the grantees were not able fully to effect them, we humbly pray to be exonerated from those severe conditions, and that you will graciously limit the power of the court of escheats to defaults in the payment of the quit-rent only.

This house is sorry to observe that most cruel use has been made of this power of escheating land, even to the depriving of two old officers of the gratuity given them by your Majesty for near forty years of military service, and that to gratify two domesticks of that governor who ordered the escheatment; and at this time a tract of land is advertised to be escheated, on which the proprietors have laid out near four thousand pounds.

Finally, we most humbly request that the assembly of this province may be called together annually, and that no governor may be allowed to dissolve or prorogue them when he shall be informed that they are preparing a petition to our gracious King and Parliament of Great-Britain.

Most gracious Sovereign, we have unhappily experienced that the redress of our grievances, and those requested regulations, could not come from us in the constitutional mode of laws which must have passed a council, some of them without property in the province or interest in our welfare.

May the God of all goodness shower down on our gracious Sovereign and his beloved family, every temporal blessing.

May the spirit of concord, justice and public virtue direct the councils of the British senate, and may the Father of mercies preserve constitutional freedom to the British race in every part of the globe.

W. NESBITT, Speaker.

Halifax, June, 24, 1775.

October 27.

Mr. *Ack-*
*land.*Mr. *Acland* reported the address agreed to yesterday.Mr. *Hart-*
ley.

Mr. *Hartley* pressed Lord North to declare, that it should be understood, that agreeing to the report now brought up by Mr. *Acland* should not be deemed a full and decisive approbation of its contents, nor preclude the House in any manner from taking the measures recommended in it, into consideration on any future day.

Mr. *Fielde.*

Mr. *Fielde* approved of this caution and hesitation of the honourable gentleman [Mr. *Hartley*] and thought the advice extremely necessary.

Sir *M. W.*
Ridley.

Sir *Matthew White Ridley* said, he had gone along with the minister during the last session of Parliament upon the supposition that his information regarding America was authentic and to be depended upon; but now that he found it was otherwise, he went away last night without giving any vote, a conduct he wished to avoid, and therefore he called upon the minister to lay sufficient information before the House, that gentlemen might know the ground upon which they were to proceed.

Lord *North.*

Lord *North* declined complying with these requests: but said, in general, that the navy and army would be taken into consideration in the course of the week, and he believed that either of the days appointed for that purpose would be the most proper time for stating objections, or framing any motion.

This answer brought up Mr. *Powys*, who moved to recommit the address; in order to leave out what related to the Hanoverian troops, viz. "We thankfully acknowledge the gracious considerations which induced your Majesty to send a part of your electoral troops to the garrisons of Gibraltar and Mahon, in order that a larger number," &c. This changed the debate to the general subject of America.

[On this subject of the Hanoverian troops, the arguments were chiefly directed against that paragraph in the address which thanks his Majesty for his gracious consideration, in sending part of his electoral troops to garrison the fortresses of Gibraltar and Minorca. Those who condemned the paragraph argued against its illegality, its being expressly repugnant to the Bill of Rights; and, above all, its being a precedent of a most alarming and dangerous tendency, as it recognised a power in the King to introduce foreigners into his British dominions, and to raise armies without the previous consent of Parliament. It was defended on a variety of grounds. First, on the idea, that the paragraph expressed nor implied no approbation of the measure; that

that the Bill of Rights passed at the Revolution was a declaratory law, and that law, to use Mr. Attorney General's own words, embraced no part of the British dominions beyond the limits of this island; that the necessity of the measure justified it, because of the delay it might occasion, and the consequent embarrassment it might bring on, in the future progress of this business; that it was nothing new for 6000 Dutch had come over, in the year 1745, to our assistance, without any such previous consent. The gentlemen in opposition considered the paragraph as a full approbation of the measures; whilst the friends of administration insisted it was no more than a compliment to his Majesty's good intentions, and left the measure itself a matter of future deliberation. Mr. Wedderburne and Mr. Dunning had a long conversation upon the different interpretations of the clause. Very few of the speakers confined themselves to this single point, but successively beat over the wide ground of the general dispute with America. The minister, however, quitting his ground, left his supporters by themselves, and fairly owned he was the adviser of the paragraph, and that he was firmly persuaded of its legality, wisdom, and expediency. This explanation was occasioned by his being pressed, in case the opposition agreed to the report, that his Lordship would agree to review the proposition, and give it a full and fair discussion on some future day to be appointed for that purpose.]

Mr. Cornwall entered into American affairs. He acknowledged there had been mismanagement somewhere; but whether by the Parliament, in not granting a sufficient force; by the ministry, in not properly applying the forces granted; or by the officers who had the command of them, in not exercising them effectually, he would not then assert; but probably might one day afford matter for enquiry in that House. However, he could not avoid saying thus much in favour of administration, that a minister in this country, though he may see much farther into future events than the rest of his countrymen, cannot take any great step without having the cry of the people against him. Had government demanded 40,000 men last session to send to America, Parliament perhaps would not have granted them; but now that the nation seemed to approve of sending a sufficient force, he did not doubt of success. He then proceeded to make some remarks on the conduct of the late Lord Holland, when secretary of state, at the beginning of the last war, in allusion to what had been said by Mr. Fox the night before; and concluded by attacking a noble Duke [Duke of Grafton] for his desertion.

Mr.

Mr. C. Fox.

Mr. *Charles Fox* vindicated his father, and defended the noble Duke; but as he quoted the speech the noble Duke had made the night before in another House, he was called to order by the House and by the Speaker. He protested that he had been deceived by the ministry; he had been taught to believe that government had so many friends in America, that the appearance of a few regiments there would give them security in avowing themselves; secure in obedience to our laws, and ensure peace; that upon this principle he voted for sending over the forces last session: peace was his object in that measure; but now that the minister declared himself for war, he could not but object to his proceedings. He could not consent to the bloody consequences of so silly a contest about so silly an object, conducted in the silliest manner that history, or observation, had ever furnished an instance of; and from which we were likely to derive nothing, but poverty, misery, disgrace, defeat, and ruin.

Lord Advocate of Scotland.

The Lord Advocate of Scotland said, it would be ridiculous in administration to recede, or to listen, at present, to conciliatory measures, whilst America was making so effectual a resistance; that all Europe would say we had felt our inability to enforce our rights, and therefore were glad to accommodate matters on any terms; that when we had regained and re-established our authority there, he would be happy to join in any plan for the better and more happy government of that part of the empire. He said, it was not uncommon for Great Britain to be unsuccessful in the beginning, and victorious in the progress and conclusion of her wars; and that he was not at all dismayed by the gloomy pictures which some gentlemen were pleased to draw of our perilous and deplorable situation. He concluded with an attack upon opposition, which he executed with great good humour.

Governor Johnstone.

Governor *Johnstone* arraigned the conduct of administration pretty severely; he declared that he was certain the Hanoverian soldiers could not be tried by martial law for any offences; that if they should be tried, they would have an action in Great Britain against their officers, and that if any of them should be put to death, in consequence of the sentence of a court martial, those who gave that sentence would be guilty of murder according to our laws; he insisted, that our garrisons abroad were, in the true sense of the word, a part of this kingdom, and he was against the paragraph, as a dangerous precedent.

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The Attorney General [Mr. *Thurloe*] insisted that decency demanded that we should return his Majesty thanks for the considerations which induced him to take the step, though we might afterwards condemn the measure. *Suaviter in modo, sed fortiter in re*, should ever be a maxim in British minds; he declared that it was his opinion that the Bill of Rights did not forbid the introduction of foreign troops into our territories abroad; that it only mentioned this kingdom; that consequently he could no more see any illegality, than he could danger, in the measure.

Mr. *Charles Mellish*. I agree with the gentlemen on the other side of the House, that every government is originally instituted for the governed; but I must insist, that, when a government is actually formed, it becomes the duty of the governed to submit to the governors. I will however agree, that there is at times a power of constitutional resistance; and that in our own government, if a King's minister oppressed the body of the people by repeated acts of violence, our ancestors had, under the sanction of the two Houses, attempted to remedy the grievance. I will also admit, that if Lords and Commons, at the will of any King or any minister, could so far betray their sacred trust, as to tyrannize over the governed in such a manner that human nature could not submit to the tyranny (which was a case I thought scarcely possible to exist, and my blood run cold at the thoughts of it) I was settled in my principles; if the bulk of the people concurred, and I could not be mistaken, I should oppose the appearance of a constitution which no longer existed, and then I will allow, that any new government is better for the governed: but I call upon gentlemen to consider, if the two Houses of Parliament, supported by the united voice of the people, were cautious in their method of opposing the King alone, how much more ought gentlemen to be cautious in attacking the sacred constitution of King, Lords and Commons. In order properly to consider whether such a case existed, we must look for its signs. Freedom of debate in Parliament seems to me the great touch-stone; and I dare say that every gentleman who hears me will be of my opinion, that at no time this House has ever enjoyed more freedom of debate than at present; it has kept us from our beds till five this morning, and may probably keep us to the same hour this night.

Much had been said in former debates, particularly on an equal representation. Indeed in our own state the representation

tation was formed originally equal, I mean in the time of William the First. It was, indeed, a representation of merely the landed interest. Time has by degrees produced so total an inequality of representation, that now it is a certain fact, that not one third part of England is represented in Parliament. Does it not therefore follow, as a consequence, that America has no more reason to complain for the want of a representation, than two thirds of the people of England?

Here it is that the fiction of law steps in to the relief of the subject; it declares us members for every part of his Majesty's dominions, and consequently for America; it has, therefore, altered the antient principle of the constitution, which said, that the member was obliged to obey his constituents. Necessity has adopted this fiction of a virtual representation, and it is now become our duty to consult the interest of the kingdom in general, in preference to the advantage of our borough or county.

It is strange that reasonable men should not be contented with the government of the country in which they live. I shall ever maintain that I am bound to support the constitution left me by my ancestors. The term Constitution is indeed vague; it is continually altering; like the human body, new particles are continually flying from it, and new particles are adding to it. We ought from time to time to improve the constitution, or reduce it to its first principles, as the case may require, but not by violent means. I hope and trust we shall never again fall into the fatal errors of the times of Charles the First, when every man thought he had a right to set up his new-fangled ideas, in opposition to the government of his country; and when the people at last discovered the miseries they had drawn on themselves by their folly, they received Charles the Second with that weakness and imbecility of spirit, that they lost much of their liberties.

As to the present question, I think ministry is right in its measures, and am satisfied with their late conduct. America has formerly submitted to the right of taxation. Many are the acts passed by us, submitted to by them. I shall shortly state some of them. We have asserted our rights not only in the navigation acts, and the internal acts of the post office, by 9 Ann. c. 10. but we have annihilated in some cases their own acts of assembly; for by 7 & 8 Will. III. we have declared void all the laws, &c. made in their plantations, which were repugnant to that act, or to any other law hereafter to be made in this kingdom.

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The act of 11 & 12 Will. III. c. 7, made for the suppression of piracy, in its 13th section is express. The words are, if any of the “governors in the said plantation, or any person in authority there, shall refuse to yield obedience to this act, such refusal is hereby declared to be a forfeiture of all and every the charters granted for the government or the propriety of such plantation.”

These acts were made in the time of the patron of our liberties, the great King William; even the charter itself, which the inhabitants of the Massachusetts Bay now so eagerly clamour after, is not their original charter, but a charter crammed down their throats by the great King William.

We have carried our legislative power still further over the internal police of America, and America has submitted.

The colonies allow that the Greenwich-hospital act, of 7 & 8 Will. III. c. 21, extends to them.

By 3 & 4 Ann. c. 11, we have forbidden their selling their pitch and tar trees under a certain growth, &c.

By 5 Geo. 2. c. 22, not a single hat can be exported from the colonies any where.

And by 7 Geo. II. c. 7, we have altered their common law in the most essential of all points, their property, in the teeth of their own acts of assembly; for the more easy recovery of debts, even if due to ourselves, we have made their lands assets.

And to close the whole, by 13 Geo. II. c. 7. we have made foreigners, who inhabit seven years in the colonies, natives of these very countries, of which they deny us the right of legislation.

But the mode of laying the late taxes has been objected to.

Yet by 25 Car. II. c. 7, we have laid port duties on the exportation of sugars, under the express regulation of the commissioners of the customs and treasury; and by 1 Geo. I. c. 12, we have ordered those duties to be paid into the exchequer; yet these duties have never been complained of by America.

But the chief act on which the greatest stress may be laid as to this point, and which I call on the gentlemen on the other side particularly to attend to, is the 6 Geo. II. c. 13.

Here, exactly as in the case of the present tea-duty, we *give and grant* a duty on foreign rum imported into the colonies; we order an *entry*, and that the *rate shall be paid in money before landing*.

Thus then America has submitted to internal taxation and legislation, both as to the right and the mode; and, as Ame-

rica has submitted to the law of Parliament in former instances, I am for enforcing obedience to the present law. Those gentlemen who suspect me of tyranny know little of my disposition.

But it has been said by some gentlemen, that foreign states accuse us of being engaged in a silly measure; all the answer I shall give such foreign state is to mind its own business. If France says so, I should ask, where is the policy of the Corsican expedition? If Spain, what it thought of the coast of Barbary? Each state has enough to do at home; and if each private member of this House would employ himself in assisting the public, instead of stating to the House private grievances, Great Britain would reap the advantage.

Mr. Dunning.

Mr. *Dunning* insisted, that the Bill of Rights was only declaratory of rights existing prior to that act, that therefore the people were not to confine their claims to the literal words of it, but to recur to the great principles upon which that declaration was made.

Mr. James Grenville.

Mr. *James Grenville*, with that modesty, ability, and candour, for which he is remarkable, gave his reasons for not going on against America, because the Americans did not mean to render themselves independent of this country, and because he judged it impracticable to reduce them by force. He concluded by shewing, with much feeling propriety, that he did not mean to throw any reflection upon the conduct of his late relation, Mr. George Grenville.

Mr. Adam.

Mr. *Adam* answered the arguments of Mr. Grenville. He shewed that the Americans would proceed to independence, if successful, and that it was therefore absolutely necessary to reduce them. He entered into the practicability of the measure, by shewing that no settled form of government being established in America, all must be anarchy and confusion there, and that all ought to be regularity and order at home. He took notice of the comparisons which had been made between our situation and that of Spain, with regard to the revolt of the United Provinces, and said the cases were not parallel. He then attacked the conduct of the opposition, but said at the same time, that he could not approve of that of the ministry. He described the operations of the last year, as very inactive; found fault with the conciliatory propositions, and called upon the noble lord at the head of administration to act with vigour. He praised Lord North in the strongest terms, for his ability and public virtue, but accused him of indolence, the greatest fault a minister could be guilty of at this critical juncture! He told him the time for action was

was not yet over, but that it might soon pass away; begged him therefore to rouse himself, and to act with the ability he possessed. He described the inactive campaign of last summer in very strong colours; accused him for allowing the congress to meet; asked if those neglects were like the conduct of a great minister, like the conduct of that man, who had seized the helm in a storm, and was not to quit it, though it should blow a hurricane? He concluded by saying, that from the spirited address of this day, he hoped for a more vigorous conduct, and trusted that the noble Lord would not allow it to go down to posterity, that from his inactivity, and not want of abilities, he had lost Great Britain her American colonies. Then begging pardon of the noble Lord, he assured him and the House, that he had not said these things from any licentious spirit of railing, but from a sincere love for this country, and a desire of preserving its greatness.

Lord North. He thanked the honourable gentleman for the ability, candour, and manliness with which he had attacked him; said he was always ready to listen to any stricture upon his conduct, even when it came from malice; but when it flowed from so pure a motive, so sincere a love for his country, as he was sure that hon. gentleman possessed, it could not fail of having the strongest effect. He pledged himself to the House, that he would proceed with vigour and activity. He confessed that indolence of temper, which the hon. gentleman [Mr. Adam] had noticed, and that dislike to business, but declared, that he was forced into the post that he now held; that stormy and tempestuous as the ocean is, through which he has to steer, he would never of his own accord abandon it till the storm had subsided. He acknowledged he had been deceived in events, but that he had adapted his measures last sessions to the then state of affairs, not imagining that all America would have armed in the cause. Administration had proceeded upon the information they had received; if gentlemen were in possession of better information, why did they not communicate it? He said, that when he adopted the necessary plan of sending Hanoverians to Gibraltar and Port Mahon, he had not a doubt of the legality of the measure; that if it was dreaded as a precedent, he should have no objection to a bill of indemnity. If he had waited for the meeting of Parliament, our troops in Gibraltar and Port Mahon could not be brought into the field time enough to have admitted of an early and vigorous exertion of our forces against the rebels. That if we suffered by the war, America would suffer much more. He answered Mr. Adam's objection

objection to his conciliatory plan ; said it was the measure that had put us on a proper footing with regard to America ; that now they had refused it, their intentions were easily seen and every exertion of force was justifiable till such time as they should again become obedient to this government ; that nothing should be wanting on his part to bring them back to a just subordination ; that now it was impossible to treat with them, until once brought back to a due obedience ; that there was no intention to oppress them, but to establish in America the most just, mild, and equitable government. He had, he said, as great a veneration for liberty as any man in the House ; and he hoped the Americans were too brave and worthy of their ancestors, to hesitate a moment in their choice between slavery or war ; but in the present instance there was no question of slavery. Their friends have said that they only wished to be put on the same footing on which they were in 1763. He wished to God, if it were possible, to put the colonies on the same footing they were in 1763. Surely America would not, without money, without trade, without resources, continue to prefer a ruinous war with Great Britain to the blessings of peace, and an happy dependence upon her. He concluded with giving a pathetic description of his own situation, under the weight of government, though surrounded with all the power and pageantry of administration ; but said that in spite of all this he should consider himself as infinitely happy, if in the last moments of a life spent in the service of his country, he could say he had done any thing for the support of a constitution he loved and admired, and of the best laws that ever were framed for the happiness of mankind.

Col. Barré. Colonel *Barré* observed, that the noble Lord could very calmly bear to hear his faults announced from some quarters ; that his Lordship stood the attacks of a certain northern dialect with a very good grace, but he was instantly shot dead with the brogue ; and what was acknowledged to be extremely candid on one side the House, was downright malice from the other. He accused him of kissing the rod that had been held by that honourable gentleman, [meaning Mr. Adam] : he said that the honourable gentleman, indeed, had held it with much grace and great ability, but he believed that the noble Lord had other reasons ; that an honourable friend of his, [meaning Mr. Burke] had often exercised it with great grace and much ability, and yet it was not kissed by the noble Lord when in his hands. The reason, he said, which induced all America to take arms sooner than the noble Lord had expected, was to oppose a com-
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mon enemy : the circumstance put him in mind of a speech made by Marshal Schomberg to the British troops, as they were crossing the river Boyne in Ireland, *à le devoir mes enfans, voilà vos ennemis !* He then entered into the Hanoverian measure, and in his usual manner told many pleasant stories of his acquaintance in that country, and some other parts of the globe.

Mr. Serjeant *Adair*. When I perceive, and, indeed, myself most sensibly feel, that the patience of this House and the constitution of its members, are almost as much exhausted in the course of this debate, as the treasures and resources of this country are likely to be by the consequences of our address, I shall certainly take up as little of their time as possible, and fatigue myself and others as little as I can : but, Sir, I cannot rest satisfied in my own mind, without observing upon some things that have fallen in the course of the debate ; and submitting to the House a few short reasons, for my most hearty and entire dissent from the proposed address. Mr. Serj. *Adair*.

The first argument, if it can be called so, that I shall take notice of, I mention with much reluctance ; because, Sir, if it had not been adopted by so respectable a member as the learned gentleman [the Attorney General] it would have appeared to me unworthy of the wisdom and dignity of this assembly, and an insult on the understanding of every man to whom it was addressed ; I mean, Sir, the unaccountable attempt that has been made to persuade us, that the words of this address do not convey any kind of approbation of the measure of transporting the King's Hanoverian troops to the garrisons of Gibraltar and Port Mahon. It is impossible to use any other argument against this, than an appeal to the common sense of mankind. It does not appear to me to be the subject of reasoning or dispute ; strip it of sophistry, of the false colouring with which it hath been varnished ; read the clause in question to any plain man, and if he does not say that it expresses an approbation, a thankful admiration of this part of the conduct of his Majesty's ministers, I have lost all my ideas of language, all understanding of the import of words. If there is any member of this House who upon barely reading the words of this address, entertains a serious doubt upon the meaning of it, his mind must be so differently constituted from mine, that it is impossible any argument I could use, could make the least impression on him. But why, Sir, are the gentlemen so solicitous upon this point ? Why are they so exceedingly afraid, that

that these words should be understood in their plain sense? Are they doubtful of their own measures? Do they wish, by deluding our understanding, to steal from us an approbation of what they dare not themselves defend? Do they themselves think the measure in question legal and proper? If they do, why not approve it? Why not avow the approbation? Why do they not speak out? "The measure is right, it is legal, it is beneficial to this country; the address does approve it, and it ought to be approved." Surely, Sir, this would be a more rational and manly ground for supporting their address, than the frivolous attempt to pervert the obvious meaning of words, and sophisticate us out of our senses.

So much has been said of the legality of this measure; the arguments against it have been so fully and ably stated, especially by two honourable gentlemen [Mr. Dunning and Gov. Johnstone] who sit before me; that I think it necessary to trouble the House with very little upon that subject. I shall content myself, at present, with saying, that I entirely concur in the opinion, that the illegality of employing or supporting foreign forces in any part of the dominions of Great Britain, without the consent and authority of Parliament, is deducible from the same principles of law, and the constitution, from whence our ancestors, who declared the rights and liberties of the subject at the Revolution, inferred the illegality of raising or keeping an army within the kingdom in time of peace without the same authority and consent.

The check and controul, which the antient principles of this happy limited monarchy has with so much wisdom and caution established over the power of the Sovereign, would be vain and nugatory indeed, if that Sovereign had a right, by his own mere authority, to establish an armed force, either of natives, or much more of foreigners, in any part of the dominions of this crown, without the consent of the people, expressed in this great council of the nation.

The negative of this power, Sir, was one of the great privileges which the Bill of Rights declared to be the undoubted right and liberty of the subject. The proposition deduced from the principles of the constitution is general; it was laid down in the terms in which it appears in that law, because, like every thing else that is there declared, it had a reference to the grievances recited in the preamble. Those were the encroachments which the late King James had made on the constitution of his country. Those were the mischiefs immediately to be remedied by the Revolution; and accordingly

to every clause of the Bill of Rights, the declaration of the right is adapted to, and coextensive with the violation complained of. This is the true reason why some of those declarations appear to be limited in their expression; and excludes every inference against the generality of the propositions, which are fairly deducible from the same principles of reason, and of law.

But, Sir, though I avoid detaining the House, by entering more particularly into the reasonings on this subject, I cannot dismiss it, without taking some notice of a most novel and dangerous doctrine, which has proceeded from so respectable an authority, that it demands our most serious attention. It has been asserted by the highest law authority in this House, "That the raising or keeping an army even within this kingdom in time of peace, without the authority of Parliament, unconnected with the illegal purposes to which," he admits, "it had been perverted, was not simply, and in itself unlawful, before the passing of the Bill of Rights at the Revolution, and therefore that the clause in that statute, which declares it to be so, created a new law, and did not merely declare an antient fundamental principle of the constitution." If this be true of that clause, Sir, it may as well be applied to every other in the Bill of Rights: and the consequence of that doctrine will be, that all the privileges there asserted to be the ancient rights of the subject, were not in truth so, but were new acquisitions, or generous gifts at the Revolution: and that the declarations and provisions of that excellent law are not to be extended beyond the words of it, or applied to other cases deducible from the same principles of the constitution, which they certainly should be, in the most liberal manner, if it is merely declaratory of the common law, and ancient constitution of the kingdom.

But, independent of all other reasonings, the clear and unambiguous words of the law itself, give the most decisive refutation to so strange a doctrine. If there is any one statute in the whole book which is more clearly and pre-eminently declaratory of the antient law than all others, it is certainly the Bill of Rights. The preamble recites, "That the late King James, by the assistance of evil counsellors, did endeavour to subvert the laws and liberties of this kingdom," in several particulars, which are there recited; all which are affirmed to be "directly contrary to the known laws and statutes of the realm." Contrary to what laws, Sir? Surely not to those which they were then going to make; but to those antient, and, in the words of the act, known laws, which

which existed at the time, and long before the violations complained of. The act then goes on to say, that the Lords and Commons, “for asserting their antient rights and liberties do declare,” several particulars, and amongst the rest, “that raising or keeping a standing army within the kingdom, in time of peace, unless with consent of Parliament, is against law,” and they “claim and insist upon all the premises as their undoubted rights and liberties;” and it is declared and enacted, that all the rights and liberties so claimed “are the true, antient, and indubitable rights and liberties of the people of this kingdom.” These words, Sir, are too strong and clear to need a comment; and on them, with confidence, I rest this matter in dispute.

I must trouble the House with a word or two on another very strange argument, indeed, which seemed to be used yesterday with a sort of triumph, [by the Solicitor General, and others] and has been repeated in the course of this day’s debate, though with some attempts to soften it a little, and take off from that glaring absurdity which has already been so ably exposed: this, Sir, is the comparison that has been made between this American war, and some others in our history, which though they were blundering and unsuccessful in the beginning, were glorious and prosperous in the event; from whence the strange inference has been drawn, that because this has been at least equally blundering, and unfortunate in its outset, it should therefore be similar in its future glory and success? and the much stranger consequence, that we ought to pursue the same kind of measures that have proved so unfortunate, and continue to place our confidence in the same men who have been guilty of those blunders and mistakes. A right honourable gentleman who spoke early in this day’s debate, [Mr. Stanley] endeavoured to state this with more appearance of reason thus—I do not profess, Sir, to repeat his very words, but I believe I can be pretty exact as to the substance: “It is not, said he, so absurd and ridiculous to alledge, that, because we had not last year full information, because we had reason to trust to appearances and probabilities that have deceived us, because trusting to them we had not a force sufficient nor efficaciously employed, we are not therefore to infer, that when we have full information when those errors we were led into are rectified, and a sufficient force is efficaciously employed, our measures should not be attended with more prosperous success.” I do not contend, Sir, for that inference; on the contrary, I am fully persuaded, that a rectification of our late errors and blunders,
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and total change of our measures, adopted upon full information, would be attended with a prosperous and happy event: but, Sir, I do contend for the inference from these premises, that we are not to trust the same men who have so blundered and been deceived, or pursue, even to a greater extent, the same measures that have nearly undone us.

Let me ask the right honourable gentleman and his friends, why had they not full information in matters of such importance? Why did they trust to uncertain appearances and probabilities that have deceived them, when the fate of the empire was at stake? If they judged force necessary, why had they not a sufficient force? And why was not that force efficaciously employed? Are those men fit for the management of great affairs, who neglect the means of information that are in their power? Are ministers equal to the government of a great empire, who trust the fate of it to deceitful appearances and the chapter of accidents? Or, ought they to be trusted with the direction of fleets and armies, who do not know what force is sufficient for their own plans and designs, or how it should be most effectually employed?

I shall now, Sir, entreat the indulgence of the House, while I state, as shortly as I can, some of the reasons why I am against the whole of this sanguinary address; and why I, for one, cannot consent, to pledge myself for the truth of propositions, respecting which I have no evidence or information before me; and the approbation of measures, which I, from my soul, detest and abhor. I shall not enter into the particulars of the speech or address, which have been so ably observed upon, in the course of two long days debate. I oppose, Sir, the whole principle of the address; because the avowed tendency of it, is to plunge us still deeper in an unhappy civil war, and to pledge us to support a system of measures, which appear to me, to threaten ruin and destruction to this devoted country. I am against the present war, Sir, because I think it unjust in its commencement, injurious to both countries in its prosecution, and ruinous in its event. It is staking the fate of a great empire against a shadow. The quarrel which occasioned it, took its rise from the assertion of a right, at best but doubtful in itself; a right, from whence the warmest advocates for it, have long been forced to admit, that this country can never derive a single shilling of advantage. In spite of all the sophistry that has been used, and all the declamation we have heard on the dignity of this country and the authority of Parliament, the right of taxation is the only real and original subject of

the dispute between Great Britain and her colonies. This doubtful and unprofitable right, has been attempted to be asserted and enforced by a series of laws, the most oppressive, the most violent, the most arbitrary, unjust and tyrannical, that ever disgraced the annals of any civilized nation upon earth. I will not now, Sir, enter into the particulars of these laws, but I mean the whole system of American legislation, from the Boston Port bill to the present time.

This system of laws, Sir, has produced its natural effect; it has driven your colonies into rebellion, and we are now called upon, to concur in exerting the whole power of this nation, in enforcing by blood and destruction that unjust and arbitrary system. The injustice of these measures alone would be sufficient to determine me, against giving them approbation or support. But when I consider the inevitable consequences of them, I am still more strongly confirmed in that opinion. The war in which we are engaged is, of all others, in its nature, the most ruinous and destructive. Whatever may be the event, we must be the sufferers; for such is the unhappy nature of the contest, that the losses and mischiefs of both sides must ultimately fall upon us. Whose treasures will be exhausted by the expence? Whose commerce will be ruined and destroyed? The blood of whose subjects will be spilt, but those of the British empire? If such are the present effects of this war, the event must be still more fatal to this kingdom. Let us consider it, Sir, upon either supposition of success or disappointment, of conquest or defeat. The present situation of the colonies, their union, their conduct, their enthusiastic spirit of liberty, and the fatal experience of the last campaign, has fully convinced every man, even the most sanguine, that we cannot expect bloodless laurels, or an easy conquest. We must lay our accounts for the most alarming and dangerous resistance; and if a full exertion of all the powers and resources of this kingdom, which I am far from thinking the most probable event, should at length, after a long and obstinate contest, in which both sides will be almost equally exhausted, prevail over every effort of liberty, reduce the colonies to a forced submission, and compleat the conquest of America; in what respect shall we be gainers by such a conquest? What shall we acquire at such an expence, but the empty assertion of an unprofitable sovereignty over desolated provinces, or a few miserable slaves? Instead of those flourishing dominions, the wealth and commerce of which has rendered us the greatest nation in the world, we shall find ourselves possessed

possessed of a vast territory, which drained of the sources, from whence that greatness flowed, that communicated itself so plentifully to us, will be not only useless and unprofitable, but burthensome and destructive; acquired by violence and force, it cannot be preserved but by the same means; and our acknowledged revenues, must be still further drained, by the constant expence of fleets and armies, to support our unjust authority, and to defend from foreign invasion those provinces, which we shall have deprived of the means of defending themselves. These, Sir, are the happy consequences that we may expect from the most prosperous success.

But suppose for a moment the event should be different; suppose the extent and natural advantages of their country, their distance from us, that union which our measures have produced, and above all that ardour of liberty, that enthusiastic and desperate spirit, which our injustice and oppression have excited, should carry the Americans through the dreadful struggle with success, and enable them in the end to baffle and defeat the utmost exertions of their infatuated and deluded country. In the course and event of such a struggle, is it possible to suppose that America, will not follow the dangerous example which we are going to set her, of having recourse to foreign assistance; that in the future establishment of her commerce, she will not give the preference to any nation in Europe, over that which has attempted to enslave and destroy her, and has not desisted from the unnatural attempt, till after the utmost, though ineffectual exertion of all her power and resources? In what situation will Great Britain then find herself? Her colonies will not only be totally lost to her, but, at least as to the benefits of their commerce, thrown into the hands of other powers, most probably her natural enemies. Reduced to her insular dominions; curtailed in her commerce; the principal source of her wealth and naval power transferred into the hands of her enemies; her blood and treasures exhausted; her revenues lessened; oppressed with an enormous debt; and debilitated with unsuccessful exertions; she will lose her power and consequence in the system of Europe, and be exposed almost a defenceless prey to the first neighbour who shall chuse to invade her.

These, Sir, are the consequences which must ensue from the measures we are now called upon to approve and support. Whether they are followed by defeat or success, they will almost with equal certainty, destroy the power, the glory, the happiness of this once great and flourishing empire. It is

my opinion that we cannot conquer America; I have not a doubt, that we cannot acquire or maintain a beneficial sovereignty over her by violence and force.

But, shall we give up our colonies without a struggle; without an attempt to preserve our dominion over them? That, Sir, is not my opinion; I think we shall lose that dominion, I am sure we shall lose all benefit from it by oppression, violence and war; but it may still be preserved by justice, moderation and peace. The Americans, it is said, will be satisfied with nothing less than absolute independence. They do not say so themselves, Sir; they have said the direct contrary, "Restore the ancient constitution of the empire, under which all parts of it have flourished; place us in the situation we were in the year sixty-three, and we will submit to your regulations of commerce, and return to our obedience, and constitutional subjection." This, Sir, is the language of the Americans.

Is this a claim of absolute independence? Where they independent of this country in the year sixty-three, or at any preceding period? Will any gentleman on the other side of the House rise up and say that they were? If they were not, they do not now claim to be so. If they were then independent, it was in that state, that those advantages of wealth and power flowed from them, which raised us but a few years ago to the greatest height of eminence and glory, and set us at the head of all the nations of the world. But our ministers tell us they will not in truth be content with what they themselves have professed to demand. Have you tried them? Make the experiment. Take them at their word. Repeal the acts that have passed since sixty-three, and put them on the footing of their old system of colonial administration. Surely, Sir, it is a less expensive and dangerous experiment, than that which we are now so strongly urged to make. If it should fail, Sir, how are we injured? Will our blood be spilt by it? Will our treasures be exhausted? Will our strength or our resources be the less? If the Americans should recede from their own proposals; if they will be content with nothing less than an independence equally opposite to the true interest of both countries; you may then have recourse to war, if it should then be thought adviseable; and you will do it with the advantage of a united instead of a divided people at home. The colonies will not have a single friend on this side the Atlantic; there will not be a single man who will not think their resistance a most unnatural and unjustifiable rebellion; instead of
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thinking them, as I now do, from the bottom of my soul, engaged in a noble and glorious struggle, even if it should be carried on with a mistaken zeal, for what they conceive to be their liberties, and the natural rights of mankind.

I beg pardon, Sir for having trespassed so long on the indulgence of the House; I did not rise from the hope of convincing any one member, much less from an expectation that any thing I could say, would be worthy of their attention. I am conscious, Sir, of my own inability to treat so great a subject as it deserves; but I could not be easy in my own mind, without entering the strongest and most public protestations against measures which appear to me to be fraught with the destruction and downfall of this mighty empire. I wash my hands of the blood of my fellow subjects; and shall at least have this satisfaction, amidst the impending calamities of the public, not only to think that I have not contributed to, but that I have done all in my power to oppose and avert the ruin of my country.

Sir *Gilbert Elliot* defended Lord North from the attack made on his indolence and inactivity; and besides arguing in support of his Lordship's conciliatory proposition of last year, said, he would not give his consent to the sending a large armament to America, without sending at the same time terms of accommodation. Sir *Gilbert Elliot*.

Mr. *Rigby*. He rallied Colonel Barré upon his numerous acquaintance. He said he was always much pleased and entertained with the stories of that honourable gentleman; nay, he was even entertained with the history that gentleman had given of his own life the day before, though he must own that it came with the fewest graces from a person's own mouth. He then made an avowal of his principles, and declared he voted for the address to his Majesty, merely because it was to sanctify coercive measures. He said he was firmly of opinion that America must be conquered, and that the present rebellion must be crushed, ere the dispute would be ended. That there were faults somewhere, but did not know whether they were in the department of the sea or land. That as to reconciliatory plans, he was as much for them as any man; declared he did not wish to fight for a paltry tea duty: but wished to be understood, that in saying so, he did not by any means give up the right of taxation, although it might not be politic to insist on it at present; and he quoted the authority of Lord Chatham, to prove that it was a doctrine held in the House ten years ago, and that the Earl had himself, when minister, declared the Americans should Mr. *Rigby*.
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not manufacture, that they should not make a horse-nail. He concluded with hoping the minister would act with becoming vigour in America, and he doubted not of success. He described the present situation of America in very strong terms, saying, that there now existed in that country a system of tyranny that disgraced usurpation.

Mr. Demp-
ster.

Mr. Dempster. I do not rise, Sir, to trouble the house on the subject of the question more immediately under its consideration. The noble lord [Lord North] who spoke some time ago, has in my opinion concluded that matter fully and desirably. He has declared his willingness to accept of an indemnity, if the legality of the measure of introducing foreign troops into our distant garrisons and forts shall appear doubtful to the House. The expediency of that measure nobody has disputed, its legality alone is called in question, and in my opinion very justly so; but as this point will be settled by an act of indemnity, what more can be said? What more can we desire? the business is concluded.

But, Sir, I am induced, though at a late hour of the night, to say a few words on something that fell from the same noble Lord, and that has since fallen from other gentlemen of great weight and authority in this House, from what they have said, Sir, a ray of comfort breaks in upon us. That dark and portentous cloud that has hung so long over Great Britain and America, fraught with numberless ills to both, begins to break and clear up. Within this half hour I am induced to entertain a hope, to which I have been long a stranger, that there will be an end to bloodshed, and that peace, harmony, and happiness, may be again restored to this distracted empire.

To forward this most desirable object, as far as lies in my power, is my sole motive for saying a very few words.

The noble Lord has disclaimed any intention of enslaving America. He has gone so far as to say that he would not object to restoring her to the footing on which she stood in the year 1763, was there a probability of America being now satisfied with this concession.

Another right honourable gentleman [Mr. Rigby] of great abilities, and a leader of no inconsiderable party in this House, has just now declared that he will not fight with America for a paltry duty upon tea. And a third right honourable gentleman [Sir Gilbert Elliot] not short of the former in consideration and weight among us, has expressly affirmed, that he will not consent to an armament sailing against

against America, unless the same fleet shall carry reasonable offers of accomodation to that quarter of the globe.

There appears, for the first time, by what has fallen from those three noble and honourable persons, a disposition to relinquish the great bone of contention between our colonies and their parent state ; I mean, Sir, the exercise of the right of taxing them, unrepresented as they are, in Parliament. I hope, Sir, the House will revert to our ancient system of governing the colonies ; for till we abandon this new-fangled system of taxing them *here*, a system no older than the conclusion of the last war, I will venture to affirm that no coercive measures short of extermination, will ever compel the Americans to submit to it.

There is no subject on which I have employed more reflection, than on the grounds of our present dispute with America ; the result has been an opinion by which I believe I shall abide as long as I breathe ; it is, Sir, that in my conscience I think the claim of the Americans is just and well founded, to be left in the free exercise of the right of taxing themselves in her several provincial assemblies, in the same manner that Ireland now does and always has done. By this beautiful part of our constitution, our wise ancestors have bound together the different and distant parts of this mighty empire ; by this single principle, heretofore inviolate, they have diffused in a most unexampled manner the blessings of liberty and good government through our remotest provinces. Look, Sir, into the history of the provinces of other states, of the Roman provinces in ancient time ; of the French, Spanish, Dutch and Turkish provinces of more modern date, and you will find every page of it stained with acts of oppressive violence, of cruelty, injustice and peculation : but in the British provinces, the annual meetings of their little assemblies have constantly restrained the despotism, and corrected the follies of their governors ; they watch over the administration of justice, and from time to time enact such salutary regulations as tend to promote their happiness and well being. And what, Sir, I beseech you, could insure the regular meeting of those assemblies, ever troublesome to governors, but their retaining in their own hands, like us at home, the power of granting the funds necessary for defraying the current expence of government. Were your provincial assemblies deprived of this power, I cannot see wherein the government of America would differ from

from that of Indostan. And has our enquiries, in a former session, into the administration of Bengal, made us in love with the eastern species of government? Do we seriously wish to transplant the rapine and cruelties of India to America?

But now, Sir, that this system is given up to our colonies, peace will, I hope, speedily follow the concession.

I cannot, Sir, but commend, in the warmest terms, the intention expressed by our gracious Sovereign in the speech from the throne, of sending a commission to America to empower persons on the spot, to receive submissions, to remove oppressive restrictions, and to grant pardons and other indulgences to our fellow citizens across the Atlantic. There is but one step more necessary to be taken, and peace will, in my humble opinion, be certain and infallible; and in relation to that step alone have I ventured to rise on the present occasion. It has already been touched upon by an honourable gentleman [Mr. James Grenville] who always expresses himself with elegance and propriety. The point I mean, Sir, is that his Majesty's commissioners may be empowered to treat with the congress. I am convinced, Sir, that America will not listen to a treaty through any other medium; it stands to reason and common sense she will not; for the congress is not only the sole existing power at this moment in America, but it is to the union formed by means of the congress that America owes its strength, and its formidable power of resistance; without such an union twelve wide-spread, far-distant provinces, thinly peopled and individually weak, could never act with effect in defence of what they think their violated rights; nor is it to be supposed they will dissolve this firm bond of union, till their grievances are redressed.

Might I then be permitted very humbly to join my feeble voice to the honourable gentleman's before alluded to, and entreat the ministry that no false pride, no misplaced idea of dignity and authority may induce them to forbid the commissioners from treating for and seeking peace where alone peace may be found. Let the commissioners be vested with discretionary powers, and left at least without an express prohibition to treat with that body; or let some means be devised of legalizing a congress, by calling one *pro re nata* under his Majesty's authority.

The commissioners will, Sir, I hope, be well chosen, will be men of rank and character, men of known attachment to the constitution, and men known and revered for services done to their country; and neither too much attached to Bri-
tain

tain nor America, but, if possible, impartial in their opinion concerning the present contest.

When men such as I have described, giving weight and dignity to the commission they bear, come to treat and to reason with the Americans, much may be urged to quiet their jealousies and apprehensions, and to bring them back to their wonted allegiance to the King, and subordination to this country. They may be told, Sir, and told with truth, that Parliament is not so determinedly obstinate on the measure of taxation as they apprehend. They may be reminded that if Parliament taxed them in the year 1764, the same Parliament, finding this well-meant but injudicious measure offensive to America, repealed the tax in the year 1765. They may be told that on the memorable occasion of repealing the stamp act, their great champion, the Earl of Chatham, laid the claim of America only to an exemption from internal taxation. They may be also told that the seven or eight duties afterwards imposed, were not internal taxes, but external port-duties on foreign commodities. And yet in consequence of those external duties being disagreeable to America, they were all repealed, except this miserable three-penny duty upon tea. And when to those arguments the commissioners can add, that Parliament, even on this last article, is disposed to relax, I can hardly doubt of their success. I already see peace and harmony restored! I see the two countries, like two friends who have quarrelled, returning with eagerness to their ancient habits of friendship, and cementing more closely than before their useful connection and affectionate union! How ardently, Sir, this is my wish, let the trouble I have now ventured to give you this night, bear witness, if the uniformity of my conduct for eleven years that this unhappy contest has subsisted, should not be a sufficient testimony of my sincerity.

Sir *George Yonge* moved, that this House immediately take Sir *George Yonge* into their consideration, the measure of introducing foreign troops into any part of the dominions of the crown of Great Britain, without the previous consent of Parliament.*

Mr. *Powys* withdrew his motion of recommitment, and seconded this.

At near one o'clock in the morning the House divided upon Sir *George Yonge's* motion. For it 72, against it 176.

Lord *North* then moved for "Leave to bring in a bill to Lord *North*, empower his Majesty to call out a militia when a rebellion

* This motion is not in the votes.

appeared in any part of his dominions ;" which was agreed to.

A petition of the Lord Mayor, Aldermen, and Commons, of the city of London, in Common Council assembled, was presented and read ; setting forth, that the said court, having taken into its most serious consideration the present distressed situation of our fellow subjects in America, are exceedingly alarmed for the consequences of those coercive measures which are pursuing against them, measures that must, notwithstanding in the great uncertainty of their success, eventually be productive of new and more burthensome taxes, the increase of an enormous national debt, and finally, we fear, the loss of the most valuable branch of our commerce, on which the existence of an infinite number of industrious manufacturers and mechanics entirely depends ; and that, his Majesty having been graciously pleased, in answer to a late humble and dutiful address and petition to the throne, praying a cessation of hostilities with America, for the purpose of obtaining time, and thereby giving an opportunity for a happy and lasting reconciliation with his Majesty's American colonies, to declare that he shall abide by the sense of his Parliament, the said court conceive it to be their indispensable duty, thus early in the session, in the most respectful manner, to apply to the House, to adopt such measures, for the healing of the present unhappy disputes between the mother country and the colonies, as may be speedy, permanent, and honourable.

Ordered to lie upon the table.

October 28.

Address presented.

The humble Address of the House of Commons to the King.

Most Gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the Commons of Great-Britain in Parliament assembled, beg leave to return your Majesty the humble thanks of this House, for your most gracious speech from the throne.

Permit us, Sir, to assure your Majesty, that we have long lamented the condition of our unhappy fellow subjects in America ; seduced from their allegiance by the grossest misrepresentations and the most wicked and insidious pretences, they have been made the instruments of the ambition and traiterous designs of those dangerous men, who have led them step by step to the standard of rebellion, and who have now assumed the powers of sovereign authority, which they exercise in the most despotic and arbitrary manner, over the persons and properties of this deluded people.

Your faithful Commons took a sincere part in your Majesty's

jeſty's benevolent and paternal deſire, rather to reclaim, than to ſubdue, the moſt refractory of your colonies; and excited by your Maſteſty's great example, we were anxious to prevent, if it had been poſſible, the effuſion of the blood of our fellow ſubjects, and the calamities which are inſeparable from a ſtate of war; we ſtill hoped that your Maſteſty's people in America would have diſcerned the traitorous views of their leaders, would have conſidered how ruinous even their ſucceſs muſt be to themſelves, and been convinced that conſtitutional ſubjection to Great-Britain is the freeſt and happieſt condition of any civil ſociety in the known world: but we now ſee with indignation, that no other uſe has been made of the moderation and forbearance of your Maſteſty and your Parliament, but to ſtrengthen the preparations of this deſperate conſpiracy; and that the rebellious war now levied is become more general, and manifeſtly carried on for the purpoſe of eſtabliſhing an independent empire.

We beg leave to aſſure your Maſteſty of our entire concurrence with your Maſteſty, in thinking that it is now become the part of wiſdom, and (in its effects) of clemency, to put a ſpeedy end to theſe diſorders, by the moſt deciſive exertions; and that we learn with the greateſt ſatisfaction, that, for this purpoſe, your Maſteſty has increaſed your naval eſtabliſhment, and greatly augmented your land forces, in ſuch a manner as may be the leaſt burthenſome to your kingdoms; and we will chearfully and effectually ſupport your Maſteſty in ſuch neceſſary meaſures, and enable your Maſteſty, when the occaſion ſhall require it, to avail yourſelf of the friendly offers, which your Maſteſty has received, of foreign aſſiſtance: We thankfully acknowledge the gracious conſiderations which induced your Maſteſty to ſend a part of your electoral troops to the garrifons of Gibraltar and Port Mahon, in order that a larger number of the eſtabliſhed forces of this kingdom might be applied to the maintenance of its authority: And we are bound in duty to return your Maſteſty our particular thanks, for pointing out to us, from the throne, the conſtitutional reſource of our well-modeled and well-regulated national militia; which, upon every great emergency, cannot fail of affording ſecurity to your Maſteſty's realm, and of giving, at the ſame time, extent and activity to your military operations.

It is with the higheſt ſatisfaction and gratitude, we hear the affectionate declaration of the father of his people, that, when the unhappy and deluded multitude, againſt whom this force will be directed, ſhall become ſenſible of their error, your Maſteſty will be ready to receive the miſled with tendereſs

and mercy; and your Majesty's gracious communication of your intention to give authority to certain persons on the spot, to grant general and particular pardons and indemnities, in such manner, and to such persons, as they shall think fit, and to receive the submission of any province or colony which may be disposed to return to its allegiance, demands our warmest acknowledgements; and we shall be ready to give our concurrence to such measures as may best contribute to carry your Majesty's wise and humane intentions into execution.

Every motive, and every interest, that can animate the hearts of loyal subjects, call upon your faithful Commons to grant to your Majesty such supplies as the circumstances and exigency of affairs may require; and, being fully convinced that the security of every benefit and advantage derived to the commerce, the manufactures, and the navigation, of your Majesty's kingdoms, from the American colonies, must ever depend on their being held in that due subordination to the legislature of Great-Britain in which the constitution has placed them, we should be wanting in the duty which we owe to our constituents, ourselves, and our posterity, if we did not engage, with our lives and fortunes, to support this great and important cause, in which the rights of your Majesty's crown, and the interests of your people are so essentially concerned; and we hope, and trust, that we shall, by the blessing of God, put such strength and force into your Majesty's hands, as may soon defeat and suppress this rebellion, and enable your Majesty to accomplish your gracious wish, of re-establishing order, tranquility, and happiness, through all the parts of your united empire.

His Majesty's answer.

Gentlemen,

I return you my hearty thanks, for this loyal and dutiful address: I promise myself the most happy consequences from the very zealous and affectionate assurances of the support of my faithful Commons at this great and important conjuncture; and I have a firm confidence, that, by the blessing of God on the justice of the cause, and by the assistance of my Parliament, I shall be enabled to suppress this dangerous rebellion, and to attain the most desirable end of restoring my subjects in America to that free and happy condition, and to that peace and prosperity, which they enjoyed, in their constitutional dependance on Great-Britain, before the present unhappy disorders.

October 30.

Lord North, Lord North presented the bill for enabling his Majesty to call out

out and assemble the militia, in cases of rebellion in any part of the dominions belonging to the crown of Great-Britain. He touched slightly on the general design of the bill, and moved to have it read a second time on Thursday, Nov. 2d.

Mr. *Turner* pointed out a great number of inconveniences arising from the militia law, particularly in manufacturing counties and places of trade and commerce. All the evils of the former act, he insisted, would be multiplied by the new act. He added, that he did not approve of the prodigious power with which this act would necessarily arm the Sovereign, that of calling out the militia, whenever he thought fit. On this ground he contended, that the justifiable occasions for assembling the militia, if they were not particularly specified, would remain at the discretion entirely of the Sovereign. On the whole, he dreaded the worst consequences from taking the militia from under the immediate controul of Parliament, who hitherto had been its guardians and paymasters. Mr. Turner.

Lord *North* said, it was impossible he could, in this stage of the business, reply to the arguments of the honourable gentleman; the proper time to state his objections would be on Thursday, when it was proposed to give the bill a second reading. Lord North.

Mr. *J. Johnstone* said, he could not approve of the bill, because it clearly gave the Crown a power to decide what was or was not rebellion, a point upon which the bill depended; and observed, that it was impossible to foresee, to what the operations of such a bill might reach, if a latitude was left in the execution of so extensive and dangerous a power. Mr. Johnstone.

Mr. *Sawbridge* desired to defer the second reading a few days longer; but it was refused. Mr. Sawbridge.

Sir *George Suttie* defended the bill. Sir George Suttie.

The order of the day to go into a committee of supply. Sir *Grey Cooper* moved, that a supply be granted. Sir Suttie.

Mr. *Sawbridge*, to testify his dissent, and give his reasons; [the gentlemen on the treasury bench talking rather loudly, and paying very little attention,] he insisted on his right to speak, and informed the gentlemen, that if what he was offering was disagreeable or disgusting, they might, if they pleased, withdraw. He contended that the granting the supplies was the only check either the representatives or the people had over the King's servants, to bring them to a proper sense of their duty; that the present ministers were both *weak* and *wicked*, he therefore, for his part, would never consent to trust them with the public money, which they had so repeatedly squandered. Mr. Sawbridge.

squandered, in effecting the most infamous and corrupt purposes. He added, he was convinced of the King's good understanding and disposition; but that unfortunately he saw through a false medium, through a fog and a mist, raised by his ministers, by which he was prevented from seeing objects distinctly, and in the manner they truly appeared.

The question was put, and agreed to, without further opposition.

October 31.

Mr. F. Montagu.

Mr. F. Montagu said the resolutions of the House made last session, respecting private bills, having been found inconvenient, he wished they might undergo a revision. He moved that a committee be appointed for that purpose.

Agreed to.

Hon. Mr. Marsham.

Hon. Mr. Marsham said, that as the noble Lord [Lord North] had not given the House any satisfaction relative to introducing the Hanoverian troops into Gibraltar and Port Mahon; and as he had heard nothing in justification, which had yet reconciled him to that measure, he took the opportunity of giving notice to the House, that he meant to move for leave to bring in a bill of indemnity at a short day; unless the minister, meaning to save him the trouble, would rise and assure the House, that he intended to do it himself.

Lord North.

Lord North said, as far as his own thoughts went, he was perfectly satisfied of the legality of the measure; yet, as some gentlemen seemed apprehensive that it might be hereafter drawn into precedent, as an individual, he had no objection to concur in any measure which might tend to keep the heads of ministers more securely on their shoulders. He added, he had consulted several, who united in opinion with him, that bills of indemnity were never resorted to, but to defend the advisers of objectionable measures against actions at law; but never against a criminal charge, on which the person offending, or supposed to offend, was liable to be impeached. He said, he had a resolution in his pocket, which he drew out and read; "Resolved, That it is the opinion of this House, that his Majesty having ordered a body of his electoral troops to compose part of the garrison of the fortresses of Gibraltar and Minorca, whereby the greater part of the troops of this kingdom may be employed for the support of his authority, has shewn his attention to the interests of this county, being, in the opinion of this House, a measure necessarily demanding more dispatch than was consistent with waiting for the assembling of Parliament.

Hon. Mr. Marsham.

Hon. Mr. Marsham excepted to the resolution; first, as it did

did not by any means come up to his idea on the subject; secondly, though it had, he could never agree to encounter the established law of the land, springing out of the constitution, by a resolution of one House of Parliament.

Governor *Johnstone* said, he disapproved both of the bill *Gov. Johnstone.* and resolution; and he believed it would be difficult to quote a more respectable authority than supported him in his opinion. He remembered well, that in a speech * attributed to Lord Mansfield, universally given him by the public, and believed to be genuine, that noble Lord, who when he rides the horse of liberty, which he wished he would ride oftener, for nobody knew how to ride him better when he mounted him, speaking of the act of indemnity, relative to stopping up the ports to prevent the exportation of corn in 1766, does not treat bills of indemnity, as applying to the paltry consideration of being a bar to private actions; but describes them as favours and indulgences to ministers, as pardons for mere blunders and errors, not proceeding from the intention.

Lord *North* said, his resolution might be made the resolution of both Houses by a conference. *Lord North.*

Hon. Mr. *Marshall* still said, that was by no means satisfactory, and gave notice that he should move to-morrow for leave to bring in a bill of indemnity. *Hon. Mr. Marshall.*

November 1.

The House waited some time for Lord *North*, but his Lordship not coming, Lord *Barrington* laid before the House the army estimates, and mentioned the taking them into consideration on Monday next, the 6th.

Col. *Barré* desired to know the number, state, and disposition of the troops in America, according to the last returns. *Col. Barré.*

Lord *Barrington* said he could not satisfy the honourable gentleman; but before Monday he would consult some papers which would enable him to answer as much of those particulars as are prudent to be disclosed. *Lord Barrington.*

Col. *Barré*. What the noble Lord has now said is in the true spirit of the administration. Give information they will not; but they will call upon Parliament to vote fresh troops, without letting Parliament know the least of what they ought to know concerning those which are already employed. I shall therefore move, That there be laid before the House an account of the last returns of the number of effective men, in the several regiments and corps in his Majesty's service, ser-

* See Parliamentary Debates for the year 1766, page 196.

ving in North America, together with a state of the number of sick and wounded ; distinguishing the several places where the said troops are stationed.

Mr. Cornwall.

Mr. *Cornwall* desired the motion might be postponed till Lord North came.

Col. *Barre*.

Col. *Barré* acquiesced.

Lord North came in about twenty minutes.

Lord *Barrington*.

Lord *Barrington*. Ever since I have been concerned in the army, I know not of any precedent similar to what is now called for. To call during a war, for the return of an army has indeed been attempted, but was always opposed, as a practice which might prove exceedingly inconvenient. In the present case, I do not know that any evils would flow from it, but if done by a resolution of the House, it will become a most dangerous precedent. As to the information which the gentleman wants, I can give it partly on my legs, in which way it will not be a precedent ; and if I am not so correct, from the papers which I have accidentally about me, as might be expected, against to-morrow I will procure those which shall be more accurate.

Col. *Barré*.

Col. *Barré*. The noble Lord gives me the strongest ground, that the thing I demand will be of no evil consequence. Without entering into the matter of precedent, why not give the House an information which can do no harm, but may do much good ? But in these matters accuracy is to be wished for ; and I see no reason if the noble Lord lets us into the facts in general, why he should refuse the return itself, which is asked for in the motion. As to telling it me, I want not to have a private curiosity gratified—I want not to be paid in private, a public debt. The information should be general. The ministers and officers of the crown have admitted that they were deceived—they have deceived Parliament ; which would not have been the case, had information been laid before us : my motion demands only information, that before we vote more troops we may know something concerning those we have already. Let the noble Lord be explicit in his information ; let us know to what extent future estimates are to go, that when we have voted one number, supposing it to be the total, there may not be after demands. The House must proceed in the dark, as we have hitherto done, if we are not informed what the state of the army in Boston is, and what the distribution is to be. The information I have had, which is that of the public, is only that of the troops being besieged ; a light-house burnt under the nose of the fleet, and the men sent to repair it carried off by the enemy.

my. Let us know the truth, and we shall then be able to proceed with our eyes open.

Lord *Barrington*. The last return is that of July the 19th, which was received here the 25th of October. By this it appears that the number of men in Boston, exclusive of three regiments going over to join them, was 8550, of which 1482 were sick and wounded, and 354 missing, of which—

Right hon. *Welbore Ellis* interrupted his Lordship, and ironically said, I submit it to the noble Lord, whether it would not be also for the information of the House, to lay before us these particulars of the rebel army? Lord *Barrington*.
Right hon. *W. Ellis*.

Col. *Barré*. I give the right honourable gentleman credit for what he says; lay before the House the number and strength of the provincial troops, that we may know whether you can fight them, that we may judge of your demands, and know if the troops you ask will be as competent to the service they are to perform as were those of last year. He expressed his surprize that government had no returns of the army later than the 19th of July. Col. *Barré*.

Right hon. *T. Townshend*. On the point of precedent, I can give the noble Lord one, fully in point. I moved for the return of the regiments employed in the affair of St. Vincent's, and it was laid before the House. Right Hon. *T. Townshend*.

Lord *Barrington*. That return was not called for till the affair was over: in the present case the war continues; which makes the difference. [Denied by Mr. Townshend.] Lord *Barrington*.

Hon. Mr. *Fox*. It is evident from what has passed that the plea of acting contrary to precedents will not avail the noble Lord. That point is satisfactorily cleared up. What therefore is the true reason for the ministers refusing to lay the information called for before the House? Merely, I assert, to keep Parliament in ignorance. Was the fair truth to be laid before the House, the demands of ministers would be inconsistent with the facts they produced. This was the case last session, and they have kept back all information and imposed on the House in order to get the cry of the people before the extent of the evil was known. But they have taken care to a degree of affection to inform you that it is the rights not of the crown but of Parliament, for which they are fighting, and yet with an inconsistency worthy only of themselves, they will not allow Parliament the least information to know how to fight for those rights which they say are peculiarly its own. This is the conduct, Sir, which has driven from them some of the most manly and respectable characters in the kingdom. They were deceived; they openly tell these men who call them—

themselves ministers, you deceived us ; you would not let us know the state either of America, or the force you had there to quell the disturbances ; acting thus in the dark, we were led into error, but we will not persist in it ; we know your intentional deceit, and we leave you. This, Sir, is also the case of Parliament ; and the only remedy for the case is Parliament's imitating the conduct of those manly characters, by refusing to vote away the money of their constituents for measures about which they are absolutely in the dark.

Sir Gilbert Elliot.

Sir Gilbert Elliot. Whether or not the precedent be for or against the information, I shall be equally against the motion. It would make a precedent of the most mischievous tendency. What is the return of an army ? Why every particular concerning it given with the utmost accuracy, and perfectly authentic ? Can it ever be proper to publish such a state of one, while your enemy is in the field ? Would it not be giving him intelligence of the most advantageous nature ? Could any ministers carry on the business of the public, if any gentleman in this House had a right to call for such an account ? It would be impossible. If ministers act badly they should be turned out of their places : but the public service can never be advanced by calling for accounts which destroys your confidence in them.

Mr. Burke.

Mr. Burke. So, Sir, it is now laid down as a maxim not only to refuse the information, but to take care that such information shall never be given—and this is to be the case, because Parliament, instead of calling for information, should give confidence to ministers. This, Sir, is not only telling us that we must bear our ignorance, but perpetuating it ; and making a minister's having forfeited a right to all confidence, the greatest plea for placing the more in them for the future. This is a mode of reasoning I never heard of before. As to the importance of the information now called for, and the danger of producing it, it makes one smile. Can you imagine that this army return of July last, can be conveyed to America, and become better intelligence than General Washington has already ? I will not have so poor an opinion of his abilities, who could write that excellent letter, we have all read, to General Gage ; but suppose him, and the generals Lee and Putnam, to be more assiduous and attentive. These men know much more of your army than your return can give them. They coop it up, besiege it, destroy it, crush it. Your officers are swept off by the rifles, if they show their noses.

Lord

Lord *North* said, that before the year 1763, the authority of the British legislature was not denied in America. He said, the repealing thirteen acts of Parliament would not consequently place us in the same situation in which we then were. He wished as ardently as any person to stop the effusion of blood on both sides; but thought it could only be effected by sending over a formidable army early in the spring, and appointing proper persons on the spot to give pardons, as mentioned in the speech: these were the only methods he said, which could, in his opinion, restore matters to that desired footing; and when that period should arrive, he did not doubt but his conciliatory plan would give permanency to the reconciliation by our accepting a *quantum* annually, in lieu of taxes. He declared himself against the motion, as it would ground a precedent for future abuses; he said the case of the Caribbs was very different from the present: in that the minister was accused of sending too many men to an unwholesome climate; and, besides, there was no great danger of the Caribbs reading our accounts.

Colonel *Barré* observing, that the conduct of the minister in withholding every proper information from the House, put him in mind of a King, who perceiving one end of a Lutheran church exceedingly ruinous and all the rest of it very good and elegant, proposed to rebuild that part for them; which he did in a very magnificent manner; but when they came to assemble there, they found that he had taken away all the light; upon which they waited on his Majesty, thanking him for his favours, and also acquainting him with their misfortune, in not being able to see at church; upon which his Majesty replied it was perfectly right so; for it is written in the scriptures, "Blessed are they that believe and do not see."

The question was then put, and the House divided, when the numbers were, for the motion, 63; against it, 170.

Colonel *Barré* also moved, that there be laid before this House, an account of the artillery, arms, ordnance and military stores, issued from the office of ordnance, sent to America, from the first of September, 1773, to the first of September, 1775. It passed in the negative.

The House resolved itself into a committee of supply.

Mr. *Buller* moved, that 28,000 seamen, including 6665 marines, be voted for the service of the year 1776, at the rate of 4l. per month, each man, for maintaining them for thirteen months. He spoke of the stations of the fleet; particularly that the fleet under the command of Ad-

miral Shuldham, who was to command in North America, was to consist of seventy-eight sail.

Ad. Keppel. Admiral *Keppel* opposed the motion, as inadequate to a war, and too large for a peace establishment. Said no vessels could keep the sea upon the coast of North America in the winter season; arraigned the proceedings of the first lord of the Admiralty in his conduct of the navy, which he represented to have been in a much better situation before the present noble Lord came to the head of that department, than since.

Capt. Luttrell.

Honourable Captain *Luttrell*. When the address, which, we are told, pledged us to nothing, possessed this House, I did suppose ministry would think it politic to vote navy, army, militia, supplies, and every grant they may want, to exhaust the treasure of this country, without giving time for reflection, information, or enquiry; and therefore I am not surprized at the precipitate manner in which the honourable member has brought before us a question of such great national import; but as I suspected it, I was eager to learn from the noble Lord opposite to me, when he mentioned the number of land forces proposed to be employed for the present year, what the naval establishment was to consist of? His Lordship carefully avoided being thus communicative, though he assured us in too general terms, that the most proper œconomy had been, and would be, observed with respect to the navy. Sir, I do not mean to accuse that noble Lord of an inclination to impose upon this House, or the public, because his ignorance of naval affairs will acquit him with me of any such design. But, Sir, let him beware here how he puts implicit faith in the information of a man, who with little more maritime knowledge, may perhaps have much subtlety, and is wise to rest such assertion as this upon the credit of the noble Lord rather than upon his own; for I believe it will puzzle any man in this House to produce more than one instance where this boasted œconomy has been observed, and there profusion would have been excusable, if not commendable—I mean, Sir, when his Majesty went to review his fleet at Portsmouth. But, Sir, it would take me till midnight to enumerate the various instances of bad management, ignorance and extravagance that have followed one another since the noble Lord, who now presides at the head of the Admiralty, was appointed to such office; proceeding in part, I am sure, from his not taking the advice of a very able and respectable sea officer, who is a Lord of that board, but obstinately following his own naval ideas, and being unable or unwilling

unwilling to discern, that though a subtle statesman, he is but an ordinary seaman.

Sir, where then is this œconomy to be found? Is it in the summer parade of that noble Lord, sailing from one King's port to the other, and wasting every year some hundred pounds of the public money, by the single expenditure of powder, to notify his arrival? By prostituting the honour of the flag, and claiming distinctions he must know, if he knows any thing of the service, he is no way entitled to, and therefore ought to be ashamed of. Is it by the loss to the public of the artificers labour, while they are doing homage to this mighty Lord? Is it, Sir, in sending a royal yacht with his son to Lisbon, which will cost the public 1000l. when he might have gone in a packet for 50l. Is it, Sir, in the wise regulations he has made in the navy, which we hear of in the news papers, and by his dependants, but no where else? Or is it, Sir, in that careful inspection into the state of the fleet so to prevent abuses, that the best men of war may be sold for a thousand pounds, while the worst appear to have cost forty thousand in repair? And, Sir, as it is the custom to call up the attention of the country gentlemen upon every alarming subject, I will crave that indulgence for a minute to mark one instance out of very many where this œconomy is not to be found.

[He then entered into the abuses and misapplications that had prevailed in the naval œconomy since the year 1770. He shewed, that though in the course of five years upwards of two millions sterling had been granted by Parliament for the repairs of the navy, over and above the sums annually for wear and tear, yet the navy debt had encreased in the same five years upwards of five hundred thousand pounds. He proved that the *Africa*, a ship of seventy guns, had been sold for nine hundred pounds, though she was in better order than two-thirds of the fleet, and could have been made as good as new for 3000l. while it appeared upon the journals of the House, that there had been demanded of Parliament, for the use of the *Dragon* man of war only, within four years, though she had never been at sea in the time, 32,973l. being extra work over and above what she had cost under the articles of wear and tear, and ordinary; and is now laid up in *Fareham Creek* unfit for service without further repair. He likewise proved, that the noble Lord at the head of the board was the cause of the late insurrection of the shipwrights, as he had encouraged them to petition the Parliament for an encrease of wages, in opposition to the application of the captains of the navy for an encrease of their half-pay: he himself having told their committee that

that the shipwrights were a set of more useful men to this nation, and much more entitled to the favour of government. He said that the task-work was the most destructive manner of building and repairing possible, that it must inevitably encrease the naval expence, and ruin the fleet of this kingdom.]

Now, Sir, to return to the question immediately before us : my objection arises, as it did last year, from a persuasion of the insufficiency of the number of seamen applied for to man the ships already in commission, and those fitting for foreign service : if 6665 marines are to be included, 1200 of which the honourable member allows to make a part of your standing army, and are now serving under the general of your troops in America, how then can the ships in this country be fitted for war, if occasion should require it, without the assistance of these marines, who, with the few volunteers we have, can alone be trusted to man the boats, get the stores on board, guard the ships, and the men we receive from the impress traders. The honourable member has told us, that Admiral Shuldham's command is to consist of seventy-eight sail of men of war. In that case it is trifling with Parliament to come with such a demand as this, when I am sure it is impossible, by any calculation, to prove them sufficient to man such a fleet as is now in commission, and fitting for foreign service ; and if you except out of 28,000 seamen the 1200 marines under the command of our General at Boston, sea officers, petty officers, and servants, the number of foremast men will not exceed 14,000 ; therefore these must be ordinary grants ; you may judge of the extraordinaries by what you have heard respecting the Dragon, and of which there are many more instances equally alarming.

Sir, though I am totally against a great increase of revenue for the destructive purposes it seems at present intended, it was my best hope that a large share of it would be appropriated towards the support of what is generally acknowledged to be the great strength of this nation ; that when the American ports were shut up, and we had lost that trade, we might have secured the seamen out of employ, by fitting out a formidable fleet ; not because I think it will prove useful on the coast of America, but as the best security against a foreign power.

Sir, talking of America, a right honourable member said, there had been a fault in the navy somewhere. Will the noble Lord declare that Admiral Graves has ever received positive orders that he did not execute ; or have they been, as I have reason to believe them, from the operations of the fleet

A. 1775.

D E B A T E S.

82

so artfully discretionary, that if your ships should be wrecked upon that frozen coast, or any misfortune attend them, the blame may be laid on the Admiral, and his reputation as an officer be sacrificed to shelter the wicked proceedings of these ministers.

Sir, An honourable member told us, we need not be dispirited with our misfortunes in America, for that our fleets were unsuccessful at the beginning of the late war, but afterwards proved victorious. Sir, this is a position similar to that of the naval œconomy, which I think can hardly be marked in above one instance, I mean the loss of Minorca. Where else did ill-success await our naval arms? Was it in Europe, Asia, South or North America, where from the commencement to the conclusion of the war we were making captures? How then, Sir, was the ill-success, misfortunes, or calamities that attended this country in any foreign war, to be compared to the sea of trouble we are now embarked in, but which I hope to God may calm sooner than I fear the minds of those men will do, who can tell us, in a language that is shocking to hear, they are rivetted to coercion against our fellow-subjects in America.

Lord *Hinchinbroke* said, his brother was in such a situation, the noble Lord [his father] had no other means of sending him. Lord *Hinchinbroke*.

Lord *North* said, the ships built at the end of the war, were built of green wood, which not being so durable as the seasoned wood, were very bad, had lately proved very rotten, and that this circumstance had been the cause of the great expence. Lord *North*.

Sir *J. G. Griffin*, said, he did not get up to oppose the number of seamen, because he thought if any operations were to be continued against the Americans, they ought to be confined to that service only. He then declared that he had hitherto supported government on principles, without regard to men; thinking it his duty as an honest man so to do, as long as the true interest of the country appeared to be consulted, and the public affairs conducted to the credit or honour of the nation; denied that to be the case at present, and called on any of the minister's best friends to contradict him; adding, he should ill deserve to sit there any longer, if he continued to afford his support to men, the effects of whose mistaken and pernicious measures had reduced us to so shameful and dishonourable a situation. Professed himself an advocate for the supreme legislative authority of this country over its colonies; disclaimed however on the one hand vindicating the rash and indiscreet measure of having

having taxed the Americans, as he did on the other, their mode of resistance. He put the House in mind, that the noble Lord [lord North] had in the last session given it as his firm opinion, that the forces then voted, and the other measures the House had adopted, would put an end to all our unhappy disputes with America, even without a drop of bloodshed; and that notwithstanding we all felt so seriously the grievous effects of these ill-advised measures; the noble Lord, he said, with fatal experience against him, was determined to seek our total ruin, by persevering in the same wild and extravagant system; instead of which, he added, tender of conciliation on terms suited to the true spirit of the British constitution ought to be preferred and held out to the Americans, which, if found not to prevail, to relinquish all connections with them; or otherwise, if practicable, to harass them with your fleets, by interrupting their trade, till at length they might perhaps be brought to sue for protection. Contended, that measures of this nature would save the nation from impending ruin and destruction, which must otherwise be attendant on the system of coercion and conquest; that our finances might thus be kept unimpaired; that we should have no occasion for foreign troops, for the vast exercise of our army establishment, or for calling forth the militia to the prejudice of trade and of the cultivation of our lands, and that we should preserve to ourselves what it was to be feared might be too soon wanted, security at home against foreign or domestic insults; and that in the worst event, the loss of America could never be adequate to the blood and treasure of which this country must be exhausted in the endeavours to recover it, and to preserve it, if in the end victorious.

The motion was agreed to without a division, and Mr. Speaker resumed the chair.

Lord North.

Lord North said, although his own particular sentiments continued to be, that the measure of sending part of his Majesty's electoral troops, to form part of the garrisons of Gibraltar and Minorca was perfectly legal and constitutional, under the circumstances in which it was done, yet as several gentlemen did not see the matter in the same light, to whom he would wish to give every satisfaction in his power, he would move for leave to bring in a bill of indemnity. His Lordship accordingly moved the House for leave to bring in a bill to indemnify such persons as have advised his Majesty to send to the garrisons of Gibraltar and Port Mahon, a part
of

of the electoral troops of Hanover, during the recess of Parliament.

Agreed to.

November 2.

A petition of the merchants and traders of the town and county of Poole was presented to the House, and read; setting forth, that it has been represented to the petitioners, that the West India merchants intend to apply to parliament, for leave to export provisions and other necessaries from Great Britain to the West India islands; and therefore the petitioners pray, that they may also be permitted to export, from Great Britain, provisions and other necessaries, for the use of the British fishery carried on at Newfoundland and the places adjacent, as the American sources are stopped, and to give them such other indulgencies, for the benefit of that trade, as to the House shall seem meet.

Ordered to lie upon the table.

A petition from the merchants of Dartmouth, in the county of Devon, engaged in, and carrying on, a trade and fishery to, and at the island of Newfoundland, was presented to the House, and read; setting forth, that the unhappy differences now subsisting between Great Britain and her American colonies having occasioned the latter to withhold the usual supplies of bread, flour, and other provisions, which they have hitherto afforded to the inhabitants of Newfoundland, and to the great numbers of seamen and fishermen annually engaged in catching and curing fish at that island, and on the banks, the prices of those necessaries of life have been enhanced this season near three times their usual rate, to the ruin of many, and the great loss of all those who are obliged to purchase such articles in Newfoundland; and that the quantities of bread, flour, and pease, allowed by law to be exported from the port of Dartmouth for Newfoundland being very inadequate to the necessary consumption of those articles, it will be impossible for the petitioners to carry on any trade and fishery to that island the ensuing season, unless they have power for exporting such quantities of those articles as may be sufficient for supporting not only the people immediately employed by them in their respective trades, but also great numbers of inhabitants of that island, and others who annually resort thither to carry on the fishery; and that the petitioners cannot, with any degree of precision, ascertain what quantity of each of the said articles may be necessary for these purposes, but they conceive great disadvantages may possibly arise from their being stinted, and no inconveniences likely to accrue from their having liberty

to export to the said island such quantities as their future advices therefrom may make them judge necessary ; and therefore praying, that they may have liberty to export, from the port of Dartmouth for the island of Newfoundland, any quantities of bread, flour and pease, without stint, or to give the petitioners such other relief in the premises as may be judged necessary.

Ordered to lie upon the table.

Lord Barrington.

Lord *Barrington* presented the army estimates. His Lordship said, that the accounts of the army returns, which he had read yesterday, were not the latest ; that the army at Boston consisted of 7415 men.

Col. Barré.

Colonel *Barré* (after asking some questions, which Lord Barrington answered) said, that the army in America consisted of twenty battalions and a half ; and these battalions, according to his Lordship, did not contain above half their proper number of men.

Lord Barrington declined going into any arguments upon the subject.

The order of the day for reading a second time, the bill for embodying the militia.

Mr. Hartley.

Mr. *Hartley*. I shall beg leave upon the present occasion to take a scope wide of the immediate business, and offer an observation or two upon the necessity of having some measure of a conciliatory nature to attend those coercive ones which are brought forwards against America with so much haste. I would propose that there should be some test of submission held out, by which the colonies may prove their submission to the legislative power of this country. I think the best would be the recognition of an act of Parliament, to be registered in the assembly of such colony willing to submit. And I think the best should be one which exercises a controlling power over the colony ; for instance, suppose it was to enact that all the slaves in America should have the trial by jury. The recognition of this and the submission to its operation would yield the requisite proof of duty. When this actual recognition of an act of Parliament shall have replaced the legislative authority of this country without question or diminution, as it was before the commencement of these troubles ; then, as an act of merited justice to such colonies as shall have given this proof of their return to their allegiance, let their grievances be redressed ; let the operation of all the acts complained of cease, *ipso facto*, in each colony respectively where the required recognition shall have been complied with. This proposition seems to me to be equitable in itself ; I hope

hope it will be thought by all parties to be definite, satisfactory, and practicable.

Mr. *Charles Turner*. I am against the present bill upon every account, as I am against militias in general. The proper men to recruit and supply your troops are the scum and outcast of cities and manufactures, fellows who voluntarily submit to be slaves by an apprenticeship of seven years are the proper persons to be military ones. But to take the honest, sober, industrious fellow from the plough, is doing an essential mischief to the community, and laying a double tax. The militia is likewise more expensive than the regulars, and therefore the more improper at present. Mr. Charles Turner.

Lord *Mountstewart*. I do not rise to oppose the present bill, because I am clear that the force of a militia is the true constitutional force to be relied on by this or any kingdom; but, Sir, I wish to see no longer a partial militia—I wish to see an end of a line of distinction drawn between countries, which in nature and in land are the same: I wish to see a militia in North Britain. What reason can be assigned against it? The stain of rebellion is wiped out; it is done away for ever, by the loyalty of the people, and the uncommon exertions they made for the crown in the last war. I do not mean now to bring this matter under consideration, but give notice that I shall take an early open day to propose it. Ld. Mountstewart.

Mr. *Dunning*. He condemned the bill. Instead of the ostensible motives held out by this bill, the militia may be employed in the most alarming and unconstitutional manner. It throws a power into the hands of the King, hitherto unknown to the constitution. He took a retrospective view of measures in general; and introduced some strictures on addresses; particularly that from the first battalion of the militia of the county of Devon. The very honourable and worthy gentleman [Mr. Acland] who helped to procure that address, and presented it, he supposed, consulted the noble Lord [Lord North] upon it; and he had good ground to believe the noble Lord corrected it. The address speaks its origin fully; it makes a tender of their services with their swords drawn, not to use them against the common enemy, any of the branches of the house of Bourbon, not even against the Americans, for they could not act against either out of the kingdom, but against his Majesty's internal enemies, that is, such who in this House, or elsewhere, dare to hold a contrary opinion with the framer and author of it. He said, the tendency of the present bill is exceedingly different from the old militia law, and therefore demands an explanation, Mr. Dunning.

tion, that the House may know how different the situation of the gentlemen now in the militia will be, when the bill is passed, from what it is at present. They and the men entered into that engagement with their country, under the express circumstances that they were never to be called out but in time of invasion or rebellion in England, or imminent danger of one or the other. This condition secured them from being at the beckon of a minister, to be called out under pretences of distant or imaginary danger. They knew the nature of the very cause in which they were to draw their swords; but what will be their situation if this bill passes? It will be in the power of the minister to embody the militia, and put them under the mutiny act, if a rebellion is only apprehended in Bengal, in St. Helena, in the most distant and insignificant dependency of the crown. To draw their swords in defence of their king and country, is what they entered expressly and cheerfully to do; but to be made soldiers in spite of themselves, to serve not their country in great and fearful exigences, but to second the apprehensions or evil designs of a minister, is being in a situation so totally different, that no arguments can convince me they will endure it. I am a friend to the old militia, because it can only be drawn out in cases prescribed by the constitution; but I am an enemy to this new scheme, because it in fact annihilates that meritorious militia, and gives you a monster in its stead.

A noble lord has touched upon another militia—a militia to be composed of a set of people of a complexion which has not it seems, been thought by the legislature to recommend them to possess it: a northern militia! From the manner in which the intimation is given I take it for granted the plan is determined, and that we may consider it as one of the measures which are at present so rapidly combined. And it leads me naturally to the great question of America, to shew how these measures are united in order to be effectual; and I shall the readier undertake it, as next week I shall be otherwise employed.

It is curious to observe what are the auxiliaries which the present administration call to the assistance of the British constitution; Catholics from Canada, if they can be induced to act; Irish Papists; a new militia in England, composed of a description of men exceedingly different from those who composed the old one; a Scotch militia, of a description that I will not name; Hanoverian mercenaries to garrison the two great fortresses of the Mediterranean; and, to crown the whole, 20,000 Russians, to protect the legislative authority of this

A. 1775.

D E B A T E S.

93

this country. It has been declared in another house, that the Russians are not to be sent to America, therefore they are, we may presume, to be brought here. He wished to know what object we were now contending for with America. It was not for taxes, as we might easily perceive, by General Burgoyne's letter to General Lee; for a gentleman of his good sense, and who held so high a post under government, would not venture to assert so much without some authority. It could not be said that we were contending for the general unlimited power of parliament over every part of the empire; for the secretary of a neighbouring kingdom had contradicted that idea, by asserting "that expressions of that kind which had been made in that House by a gentleman in an high office, were no more than the rash inconsiderate opinion of an hasty individual."—He wished to be fairly understood with regard to his ideas of Rebellion: he said he never had considered it as a genus which might be divided into several distinct species; yet he was apt to imagine, that there might be one sort of rebellion less deserving our hatred than another; that there might be a provoked and an unprovoked rebellion, of which each merited different degrees of censure. He then proceeded to ridicule the motley complexion of our intended forces, which were to consist of Hanoverians, Russians, savage Canadians, and Irish Roman Catholics. He said, he had heard, that a single regiment could march from one end of North America to the other; but he desired to know, if it was not more probable that 20,000 Russians could march from Johnny Grot's house to the Land's End. On the whole, he declared that he was against this, as well as most of the other measures of government; that he stood alone, unconnected with any party; that he despised any man, who at such a critical juncture as the present, could be swayed by any personal motive whatever; that, for his part, he spoke *ex animo*, and he hoped the House would give him credit for his assertion. He concluded by observing, that although he might not, perhaps, be able to give that close attendance to the business of the House which he could wish, yet he would uniformly oppose the ministry in every step they should take to enforce measures which he heartily condemned.

Sir George Yonge informed the House of the manner in which the Devonshire address was obtained, without the knowledge or concurrence of the gentlemen of property in the county.

Mr. Rigby. I should not have risen to the present question, had not the learned gentleman brought me into a conspicuous

spicuous light, from what an Irish secretary is said to have mentioned in another place. I have a great opinion of that gentleman's abilities; and it is very plain he has a very good opinion of me, from the way he treats me. Because the Irish secretary says I am a rash and inconsiderate individual, therefore administration says I am so, for such and such sentiments. As to the right of taxing Ireland, I assert it upon the solid authority of an act of Parliament; if this Parliament has a right to deprive the House of Lords of Ireland of their judicial right, in the dernier report, it has a right to do every thing else. But the learned gentleman has taken a longer field; he has given us a rueful catalogue of troops, which are to execute the measures, and among the rest 20,000 Russians. This is the first time that I ever heard a syllable of Russians coming here. It is true, I am not of the cabinet; I never was there in my life: but from the connections I have, and from all my information, I know of no such design. But whenever a war has been opened, which demands foreign auxiliaries, various are those that have been hired. The last war saw Wolfenbuttlers, Hessians, Hanoverians, and I know not what, in our service; and there was a Britannic legion, which consisted of all the thieves in Europe: the learned member, if disposed to ridicule, might call them and the Marattas of the east, allies of the King of England. The learned member enters very logically into the distinctions of rebellion, and from attending minutely to them, all I can learn is, that there are two sorts of rebellion; one which the gentleman likes very well, and one which he likes not at all. He detests the rebellion of 1745, but likes the present passing well. Now, for my part, although I think there is but one kind of rebellion, I cannot carry my sentiments so far back as the honourable gentleman; for, whenever the Americans shall return to their duty, and behave as loyally as the people of Manchester, I shall not, by any means, consider them as deserving my hatred; but shall readily give up the point of taxation for honourable terms of accommodation with them.

Col. Barré. Colonel Barré observed, though he was informed his honourable and learned friend could not stay long the present evening, yet he did not believe, however extensive and profitable the practice of his learned friend might be, that he would neglect to attend his duty in that House on any affair of national importance, where his advice or assistance might be serviceable to his country. He observed, that he had lately heard many gentlemen in administration speak very moderately of American affairs, and he exhorted them to throw
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some kind of a conciliatory proposition together, as a step towards an accommodation. He requested the friends of ministry not to be so very fond of war, as to overlook an easy and honourable peace, which lay so immediately in their way, that they could not but see it, if they would but give themselves the trouble to look for it; and concluded by reminding the House, "that Philip lost the now United Provinces by being too tenacious of one single post."

Mr. Acland. As I understand by what dropt from the honourable gentleman who spoke last, [Colonel Barré] that the honourable and learned gentleman [Mr. Dunning] may probably soon leave the House, and as I do not intend that some aspersions the honourable and learned gentleman has thrown out on me shall go unnoticed, I rise now to give the learned gentleman an opportunity of replying if he chuses it. The learned gentleman began by calling me his honourable friend, and immediately proceeded to give me the most unequivocal proofs of his friendship, by throwing out assertions as detrimental to an independent character, as they were unfounded in fact. The learned gentleman has said, that the address of the first regiment of Devonshire militia, which I had the honour of presenting, was corrected by the noble Lord. If I was to give way to the just dictates of my resentment, no expression the English language contained, would be strong enough to mark in its true colours such an unwarranted assertion; but I will content myself with declaring to this House, this full gallery, and the whole world, that it is untrue. The address, which has had the misfortune of drawing down the weight of that gentleman's resentment upon it, and which I, it seems, in an unfortunate hour, presented to his Majesty, if its containing strong sentiments of loyalty to the King, and attachment to the constitution, be a crime, is, I confess, most criminal. But, Sir, sorry am I to find, that expressions of loyalty to the King and attachment to the constitution, should appear so criminal to that learned gentleman. This address, at which the gentleman is so much displeased, expresses, Sir, a just abhorrence of every attempt to alienate the minds of his Majesty's subjects, and a readiness, when properly called on, to endeavour to suppress any internal enemies of the King, and this constitution. It is necessary that I should inform this House, that about the time that this and many other western addresses originated in the country, many inflammatory papers, breathing a spirit averse to all order and tranquility, had been with an assiduity hitherto unknown, dispersed through the west, amongst others, letters inviting to associate

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had been sent to many of the principal magistrates and first gentlemen of property ; these associations were recommended on the principle that associations of the same nature had been entered into previous to the Revolution. Now, Sir, we unfortunate country gentlemen, who are not blessed with those abilities which teach us to understand black when we read white, did conclude, that if these letters of association so recommended, did imply any thing, they did imply the necessity of another revolution. Under such circumstances, Sir, in such times, were we not justified ? Did we not act the part of good citizens and good subjects, publickly to declare to the whole world our just abhorrence of every attempt to alienate the minds of his Majesty's subjects, and to express our readiness, when properly called on, to exert our utmost endeavours to suppress any internal enemies of the King and this constitution ; for Sir, such inflammatory papers and such circular letters of association, are attempts to alienate the minds of his Majesty's subjects, and those men, I care not who they are, by whom such papers and such letters were circulated, are enemies to the King and this constitution. An honourable gentleman observed, that not above sixty or seventy people had signed the Devonshire address ; I must tell that gentleman, that he has been egregiously misinformed, for I can assure this House, that nineteen out of twenty of the principal resident representatives of the property of the county signed that address. I must here beg the patience of this House, as I am on my legs, to answer a question which has been often thrown out from the other side of the House. It is perpetually asked, how country gentlemen, whom it seems it is the fashion of some gentlemen in this House to ridicule, though I believe they would be very glad of their support, can again trust an administration that has so often deceived them ? For one Sir, I answer, that they never have deceived me ; but if I had been deceived, I had been deceived under the sanction of the gravest and most respectable authorities of this House, under the sanction of that honourable and learned gentleman himself, who during the last session of Parliament, when administration applied to Parliament to strengthen the hands of government, compared the disturbances then existing in the province of the Massachusetts Bay to the riots that had often happened at different times in different parts of England, which had been suppressed with a very trifling, if not without any assistance of a military force. Would not therefore that gentleman and his

his friends have treated it as the most ridiculous, the most absurd, the most extravagant, the wildest of all wild doctrines, if administration had proposed to Parliament to send out a force adequate to the conquest of a whole continent, to do what? Why to suppress a few insignificant riots in the Massachusetts province, such as the honourable gentleman told you, that you have had fifty times in this country, and which have been suppressed without any military aid at all. I again repeat, I have not been deceived by administration, for I did not think the force competent; but because a competent force was not sent out last year, I do not think it good sense or good argument to oppose the sending out a competent one this year; nor should I think, if at this time I withdrew my weak support from administration, I should the next year have a right to accuse administration for the ill success of measures if they should succeed ill, when I had done every thing in my power by my opposition to prevent their execution.

Mr. *Dunning* apologized for the mistake he had been under, respecting the address from the Devonshire militia. Mr. Dunning.

Right honourable *T. Townshend* called on the ministers to know where the Russian troops were to be sent, as it was asserted in the other House not to America; and now, by Mr. Rigby, not to England. He supposed to Ireland. Said that innovations in the militia, were dangerous, because every standing oppressive force in Europe, began with a harmless militia. He detested the politics of administration while he compassionated the unhappy Americans, who had been provoked to resistance by the late acts. He declared, that in his opinion the necessity of embodying the militia of any part of the kingdom could only be justified by local causes; that if there was a rebellion in Scotland, or in Wales, he should vote for the embodying of the Scotch or Welch militia, but not otherwise; and that he differed in opinion from an honourable member [Mr. Rigby] who had asserted he knew but of one kind of rebellion. Mr. Townshend in support of his dissent from Mr. Rigby, instanced the rebellion of 1745, when the town of Manchester (who had now sent up an address, flattering the ministry, and abusing the gentlemen in opposition) took an ostensible part against the present family. Rt. Hon. T. Townshend.

Sir *Thomas Egerton*, defended the town of Manchester; said he had signed their address, which did not contain any abuse upon the gentlemen in opposition. Sir Thomas Egerton.

Right honourable *T. Townshend*, cited the passage.

Mr. Burke.

Mr. Burke observed, that the Manchester address was not singular in the indecency of its language, but that all the ministerial addresses spoke of those who had endeavoured to prevent the civil war in which this country was unhappily now plunged through the ruinous and destructive measures pursued by administration, in the most scurrilous and illiberal manner. That the gentleman who defended Manchester stood in the same predicament with many others who had signed what they never read, and therefore were astonished when they afterwards heard the language of the addresses; language, he said, which disgraced the name of Britons; in which the good-nature of Englishmen and the manners of gentlemen were totally forgot; and which, though procured by courtiers, contained nothing characteristic of them but the most ignoble servility, and the most unmerciful encouragement of barbarous, blood-thirsty measures. There were two other addresses, he declared, which called loudly for the censure of that House; the address from the first battalion of the Devonshire militia, and the address from the University of Oxford. These he termed the addresses military and ecclesiastic; addresses from persons who, at all times, and on all occasions, were debarred constitutionally from meddling with the politics of the country. He descanted largely on the first, shewing the impropriety of the militia, or any armed body's soliciting to be employed against their fellow-subjects. With regard to the latter, he almost charged Lord North with having not only seen it before it was presented to the King, but with having altered the composition of it; and if Lord North avowed the propriety of the University of Oxford (a body of learned and religious men) interfering with politics, advising a civil war, and calling those that opposed it rebels and traitors, the freedom of this country was dead, her liberty was no more. He painted in strong colours, the situation of the heads of an University, who he declared ought by no means to instill political principles into the minds of those who were not sufficiently matured, who knew too little of the world to be able to judge of their propriety, and to distinguish between sound policy and destructive expedients. Every man, he observed, must feel the violent error of such a conduct; he had himself a son at the University, and he could not approve of his son's being told by grave men, that his father was an abettor of rebels. He concluded with declaring that Lord North ought not only to have abstained from taking part in the formation of that address, but that he ought to have re-
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jected it when it was sent to him, and prevented it from being presented.

Sir *William Bagot* related the origin of the Stafford address, Sir *W. Bagot*. declaring that he had seen the address from London to the electors of Great-Britain, and as he was not willing that the gentlemen of the county should be seduced by it, he supported at the sessions an address, containing sentiments very different from the London address, only one person, whom the House well knew, [Mr. Wooldridge] objecting to it.

Hon. Capt. *Luttrell*. When the last votes in favour of the address (which I considered to be destructive to the liberties of America) passed this House, I thought we might take leave of every ray of hope, that peace and good fellowship would again subsist between our colonies and this country; I, however, felt this consolation, that, uninfluenced by selfish views, or by the political interests of any man, or set of men whatsoever, I had discharged my duty agreeable to my conscience, and the best of my abilities; and as I could not prevent, I had only to lament the future progress of this unnatural war. But, Sir, in consequence of what fell from the noble Lord on the opposite bench, I hold it a duty incumbent on me, to offer to the House such intelligence as I have received from America, that I may not be comprehended among the number of those gentlemen the noble Lord supposes to be inclined to conceal from *him*, or *the public*, what they have reason to believe is the true and general sentiments of the Americans. Hon. Capt. *Luttrell*.

Sir, a noble Lord has communicated to us the private information *he* has received from a general officer at Boston; a right honourable member in my eye acknowledged the receipt of a letter from an ever memorable colonel, the substance of which amounted to little more than this, that he lamented *they* had been mistaken in their ideas of the provincial army. Sir, my information comes not from a military man, but from a friend of mine, whose family remains in this country, and who went to America for the recovery of his health. Sir, he is of a nation that will *hardly* be suspected of taking part in *this* rebellion; he is a man of good sense, sound judgment, quick discernment, some philosophy, and much candour; he is known to many members of this House, having been a candidate for a seat in Parliament. I value his information, because I believe it authentic; and that I may not be supposed to state it partially, as what he says of America is comprised in a few lines, I will, with leave of the House, read them. [Here Captain *Luttrell* read a letter from New York, dated *the*

the beginning of September, which affirms, "That the people there aim not at independence, but are generally determined to die, rather than to submit to the arbitrary claim of taxation, though they are informed the French, their natural enemies, have offered assistance against them."]

Now, Sir, if the information conveyed to America be true, France is the *foreign power* that has offered us assistance. What, Sir, is likely to be the state of your army then? 30,000 British troops, perhaps one half that number French, some thousands of your Canadian subjects and Irish Roman catholic marines. Then, Sir, when America is conquered, and the flower of your army cut off, your *new allies will* be prepared to dispute the conquest with you. Is there a man, Sir, in this House, that doubts but *every* Roman catholic of either army, or in that country, of any name, description, or situation, will *not* be ready *again* to assert the right of France to the colonies of America, in opposition to the protestant army; or that they will not be supported by the northern Indians, who are bigots to the Roman catholic religion, and immediately under the influence of the popish priests and jesuits which abound in that country. Still, Sir, I am at a loss to tell, whether I should prefer an alliance whether France or Russia. It is time we should look to the enterprising genius rising in that empire; to a people eager in the pursuit of fresh possessions, in climes less inhospitable than those they now inhabit, already become (thanks to Great Britain for it) the first maritime power in the north, the third great maritime power in the world, extending her manufactures and commerce.

I fear the balance of trade is already against us; but it must inevitably be so soon; and then you will send your specie to Russia, to purchase the vast quantity of hemp, turpentine, tar, and other naval stores, necessary to supply the present great naval establishments. Sir, should Russia insist upon sending *these* naval stores to *your arsenals* in America in *her own bottoms*, dare you refuse it? What *may* be matter of necessity now, was ignorance, or something worse, ten years ago. Sir, it was for these reasons, I requested the honourable member who moved the address, would adopt the motion, "previously to enquire into the real state of Great Britain and her American colonies;" that upon mature consideration we might present a dutiful and loyal address to his Majesty, full as respectful to the King as the present: but perhaps less conclusive upon Parliament. Sir, those that thought they pledged themselves to nothing, did well to give it

it their assent. *I*, conscious I knew but little, and believing I pledged myself to every thing, hope I did *as well* to vote against it ; for I considered it to imply a thorough knowledge of both countries, whereas it appears, by the language of administration, that they are totally ignorant of the real state of either. One noble Lord tells us, we cannot raise an army of Britons sufficient to subdue the present rebellion in America ; but must call in the aid of foreign troops, which we must purchase with our wealth, in like manner with any other commodity. Some gentlemen of great abilities and equal authority, hold the direct contrary doctrines, calling up to our resolution the numerous army of British troops supplied in the late war. From some of these benches we learn, that great part of America is still in our possession ; from others, that we have not a foot of it. One minute it is asserted, the Americans are still ready to submit ; the next, that they unite the men with their measures, and execrate both. Some say they contend only for taxation ; others for independence : with a variety of different accounts, as to the numbers, situation, and opposition of the provincial army. And the most material question of the whole still remains undecided, whether this country (England I mean) is, or is not, desirous of pursuing coercive measures against the Americans ? Sir, his Majesty can certainly do no wrong ; but are his ministers therefore above reprehension ? And if the King has been deceived by their misrepresentations, is it not more dutiful and loyal, humbly to point them out, than to let the people ascribe a share of blame to him, while they take shelter under the sacred name of Majesty. *The King* wishes for peace and reconciliation with America, and I believe the noble Lord opposite, and a part of his associates, do so too, as well as the generality of the people of England ; and that these blood thirsty measures can *only* be pleasing to such slaves to a part of government, who the very last year told us, they shuddered at the plan of operations, and would not support them, because they thought them cruel ; yet now they can adopt them, because they are ten times more so ; and to a set of unprincipled, arbitrary, and avaricious men, who I wish to God were transferred to a government like New Zealand (where they devour their fellow-creatures) from that of a civilized nation.

Hon. Mr. *Fox* observed, it had been said that the addresses would cause ill blood here, but that he would add something more ; they would cause much ill blood in America. The address from the Devonshire militia he reprobated

Hon. Mr.
Fox.

as

as one of the most unconstitutional acts that ever had fallen within his knowledge. After which he declared he did not think so meanly of the understandings of the present ministry, as to suppose they would leave this country without an army of some kind ; that he approved of a militia as a *succedaneum* to an army, but that by the present bill they were evidently to serve as a part of the army itself. He then entered into a definition of the original meaning and intention of the English militia, and laid it down as a doctrine, that formerly a militia-man was merely armed and disciplined, that he might, when danger was at his door and pressed upon him, defend himself. He said he should certainly be against the introduction of foreign troops, and he was also against a standing army ; that the purpose of the present bill was to create a standing army, and to encrease the power of the crown ; that he saw no difference between a standing army of regulars, and a standing army of militia, whom the King could call out when he pleased ; for that in this country, and every other extensive dominion, there would always, in some part or other, be a riot, which the minister might call a rebellion. There might be a disturbance among the negroes in Jamaica, in Bengal, or any other distant place, which might serve as a pretext for embodying the militia. That many gentlemen would frequently be embarrassed who served in it, by being put upon disagreeable duty ; and that at present, if he was a militia officer, he would resign. He concluded with declaring that administration were taking advantage of the present situation of affairs, to put the people under martial law, and to add that law to the prerogative. That all the late American acts tended to increase the power of the crown, and to demolish the rights of the people ; and that as the present bill evidently would do so, he should oppose it.

Lord North. Lord North observed, that although there were so many different opinions held, and so many different objections thrown out in the present debate, that it was impossible for him to reply to all of them, yet he thought it incumbent on him to speak to two matters which had been urged by the gentlemen in opposition : one was, the charge made against him respecting the Oxford address ; and the other, the idea which had been alledged to prevail with administration of introducing foreign troops into this kingdom ; with regard to the latter, he declared there was no such idea entertained, and he appealed to the bill before the House as a confirmation of what he said ; for that it was obvious, if ministry had such an intention they never would

would have introduced the bill, but moved for the introduction of foreign troops, on the plea of the insufficiency of the present militia act. He declared he was himself averse to the employment of foreign troops, but that where a great constitutional point was to be carried, and which could not be carried without them, he saw no objection to their being made use of ; he thought they might be applied to as a resource, though it would be impolitic to use them in the first instance : that as we had more money than men, it was a natural and a justifiable resource in cases of necessity ; but that at present administration meant to leave the defence of this country to the gentlemen of it, which was surely the measure most likely to prove agreeable to every Englishman ; and that so far was he from wishing to embarrass any gentlemen in the militia, that he had no objection to the insertion of a clause, giving them power to resign if they disliked the service. His Lordship treated what had fallen from Mr. Fox, respecting the dangerous use that might be made, at any future period, of the power granted by this act, as a chimera, never likely to be realized ; observing upon the hazard a minister would run in making a riot in the Indies, or a disturbance in any distant quarter of the King's dominions, a pretext for calling out the militia of England ; and adding, that if any minister should be so hardy, he sincerely hoped he would be impeached at the bar of the House of Lords. With regard to the Oxford address, his Lordship declared, that it came to him as a part of the university, as one of the firm of it ; in fact, it was sent as a compliment to their chancellor ; that he did not alter the language ; that he both then and now thought it contained such sentiments as were proper to come from the university ; that it did not encourage the plunging this country into a civil war ; that it only expressed a disgust at rebellion, and teemed with professions of loyalty which were an honour to those from whom it came ; and that therefore he did not prevent it from being presented : but he solemnly protested that he saw no other address in its way to the throne, and he defied the gentlemen on the other side of the House, after the most exact enquiry, to prove that administration interfered in procuring any.

Lord John Cavendish made a short reply ; after which the House divided upon the question. For reading the bill 259 ; against it 50.

Bill committed.

Novem-

November 3.

A petition of the merchants of London trading to the West Indies, was presented and read ; setting forth, that the inhabitants of the sugar colonies in the West Indies have hitherto been supplied with very large quantities of flour, bread, rice, and Indian corn, from the continent of America, from which supply they are now cut off by reason of the present interruption of commerce with America ; and that the quantity of wheat and meal flour, bread, and biscuit, now allowed by law to be exported to the said colonies from the port of London, will be greatly insufficient for the sustenance and use of the inhabitants of the sugar colonies during the continuation of such interruption ; and therefore praying the House will take the premises into consideration, and grant such relief as to them shall seem meet.

Ordered to lie upon the table.

Sir James
Lowther.

Sir *James Lowther* moved, that the introducing the Hanoverian troops into any part of the dominions belonging to the crown of Great-Britain, without the consent of Parliament first had and obtained, is contrary to law. He said, he would not take up much of the time of the House in entering into the great question of law which this resolution led to, that doubtless would be spoken to by more able gentlemen than himself. The measure appeared to him to be doubly improper, both as being in direct opposition to the bill of rights, the act of settlement, and the established law of the land ; and also that it is at present highly inexpedient in the present state of the dispute with America. Why are we, said he, to have recourse to foreign mercenaries, instead of our own troops ? Why place a dependence upon those who cannot feel the same call for defending the liberty of this country as the natives of it ? There is no good reason for this ; and if we may judge from the uniform tenor of administration in all their conduct, we ought to consider it as a most dangerous weapon in the worst hands which any weapon can be lodged in. But the noble Lord on the other side the House will tell us that he is the able pilot that is to conduct us into port. I should be glad to ask that able pilot what are the provisions he has made on the continent of America for the employment of those numerous forces to be voted ? Where are his transports and victualers to go ? Where are his magazines to be formed ? What security will he give us that they are not to roll about the Atlantic by way of a harbour ? But one question ought to include a thousand others. Why have we not peace with a people, who it is evident desire peace with us, and who are ready

ready to submit to the legislative authority of this country? [He then read, as a part of his speech, the last address of the Congress, to the people of England.]

Governor *Johnstone*, moved to read that part in his Majesty's Governor speech, which says, "and I have, in testimony of my affection *Johnstone*. for my people, who can have no cause in which I am not equally interested, sent to the garrison of Gibraltar and Port Mahon, a part of my electoral troops." He then acquainted the House, that he rose to second the motion of his honourable friend. Nothing, Mr. Speaker, requires such watchful attention in this admirable system of government, as the due poize of the sword between the King and the people. His Majesty has the entire command of the troops after they are raised or introduced into his dominions, that military operations may be conducted with that secrecy and dispatch, which is necessary to give them their full effect; but the people, on the other hand, must be first consulted on the occasion of raising or introducing such troops, lest under the pretence of defending us against our enemies, an overwhelming force may be turned against our dearest rights. This rule I take to be a corner stone in the British constitution, which once removed, leaves every privilege we enjoy, at the mercy of the King. The words the clerk has just read, I consider as the most wanton violation of this principle, and the most avowed declaration, that it does not exist in the law or spirit of our government. It is to meet such dangerous doctrines, and to vindicate the wisdom of our ancestors, who have not left the rights and privileges for which they bled on so precarious a footing, that I now presume to trouble the House; nor does the bill of indemnity, laid on your table by the minister so early this day, slacken my ardor on the occasion. In the preamble to this bill, which I have just read, it is declared, "that doubts have arisen" on this great constitutional question; I say, then it is fit the legislature should determine those doubts. If so palpable a defect remains in this government, let us boldly declare the fact, and correct it without delay. If (as I apprehend) it is free from so glaring an absurdity, as that of supposing his Majesty can introduce any number of foreign troops into his dominions without the consent of Parliament, let us, with equal willingness, assert the right of the people throughout his Majesty's dominions; and censure, or pardon, those who have offended, as their conduct, when duly considered, may deserve.

deserve. But in tenderness to them, do not let this great assembly forget what we owe to our country: do not let us forget what we owe to our own dignity as legislators, by leaving so great and essential a point undecided, merely in compliance with the humours of some gentlemen, who want to balance between their former professions and their present conduct.

3 It was happily observed by a noble earl, whose superior wisdom was so long revered in this House, that you might intrench yourself with parchment up to the teeth, as defences against the power of arms put into the hands of other men: but the real security consisted in never admitting of such numbers as could effect any evil purpose; for wherever such power had been intrusted, distinct from the guardians of liberty, the sword had always found a passage to the vitals of the constitution. This principle ever directed our peace establishments, till the reign of his present Majesty. This had governed the conduct of our ancestors till this hour. This jealousy is evident in every clause of the mutiny bill, whereby a military establishment is interwoven into our government. But in case this prudent generous jealousy is commendable against our own countrymen and fellow-citizens when they become soldiers, they who have equal privileges to lose and to defend; they who have all the ties of friendship, relation, and education, to restrain them from destroying the liberties of their country; how much more watchful and attentive ought we to be, when this intoxicating power is delivered up to foreign mercenaries, who have no object but the pleasure of a prince; who have been accustomed to consider the rights of a freeman as an insult on their profession? Shall neither argument or experience stop this House in the madness of her American career. Must every principle of our government be dissolved in the contest. Shall the first barriers of our freedom be levelled with the dust, to favour our ministers in their absurd management. Shall we despise the history of all those nations, from Carthage downwards, who have lost their liberty by employing foreign troops, and recur to those weak silly arguments which have always been used as the reason for first introducing them. How different is the spirit which prevails now, to that which inspired our ancestors after the Revolution? That the House may judge on this point, I desire the message from king William, of the 18th of March, 1698, and the answer of the Commons of England may be read. [*Read the message and*

and answer as under.*] Here you find a King to whom the very Parliament, he addressed, owed the freedom of their

* Journals of the House, 18th March, 1698.

The earl of Ranelagh acquainted the House, that he had, in command from his Majesty, a message to deliver to this House, signed by his Majesty, and all of his own hand-writing; which the said earl delivered in to Mr. Speaker, who read the same to the House, and is as followeth, viz.

William R.

His Majesty is pleased to let the House know, that the necessary preparations are made for transporting the guards, who came with him into England; and that he intends to send them away immediately, unless, out of consideration to him, the House be disposed to find a way for continuing them longer in his service, which his Majesty would take very kindly.

Upon which a question being proposed, that a day be appointed to consider of his Majesty's said message, the question was put, that that question be now put, and it passed in the negative.

20th of March, 1698.

The lord Norris reported from the committee, appointed on Saturday last, to draw up an humble address, to be presented to his Majesty; that they had drawn up an address accordingly, which he read in his place, and afterwards delivered in at the clerk's table, where the same was read, and is as followeth:

Most gracious Sovereign,

We your Majesty's most dutiful and loyal subjects, the commons in this present Parliament assembled, do, with unfeigned zeal to your Majesty's person and government, (which God long preserve) most humbly represent,

That the passing the late act for disbanding the army, gave great satisfaction to your subjects; and the punctual execution thereof, will prevent all occasion of distrust or jealousy between your Majesty and your people.

It is, Sir, to your loyal Commons, an unspeakable grief, that any thing should be asked by your Majesty's message, to which they cannot consent, *without doing violence to that constitution your Majesty came over to restore and preserve*, and did at that time, in your gracious declaration promise, that all those foreign forces which came over with you should be sent back. In duty, therefore, to your Majesty, and to discharge the trust reposed in us, we crave leave to lay before you, that nothing conduceth more to the happiness and welfare of this kingdom than an intire confidence between your Majesty and your people; which can no way be so firmly established, as by entrusting your sacred person with your own subjects, who have so eminently signalized themselves on all occasions during the late long and expensive war.

resolves, supplicating with a degree of eagerness, humility, and affection, that might have melted a Roman father, in behalf of troops, who had been active in his service; who had been the companions of all his glory, and all his toils, whose numbers could be no object of jealousy; but those real patriots knew the nature of courtly precedents, and they saw the consequences of this. They refused the common formality of appointing a day to take his Majesty's message into consideration; they waved those trifling respects, when the constitution of their country was at stake; they instantly named a committee to draw up an answer, and the House most solemnly and truly declared, as you have heard, "that they could not consent to his Majesty's request, without doing violence to that constitution his Majesty came over to preserve." While I commend this glorious spirit in our forefathers, I hope there is no person who hears me, that can believe it springs from any of those ignoble prejudices, which sometimes prevail against the inhabitants of other countries. Singly and individually, I believe, a Frenchman as good as an Englishman, and a Spaniard equal to either, if they are protected by a free government. All I maintain is, that their misfortune having placed them under despotic governments, they are more fit to destroy, and not so fit to preserve, the privileges of freemen. That the happy predilection every man feels for his native soil, is a principle established by God, and ought to be strictly attended to by statesmen in the formation of armies, and that no intelligent statesman ever despised this natural affection, or would wish to have recourse to foreigners in the wanton degree the instance before us exhibits. It is said, we have plenty of money, but are scarce of men—If money is so plenty, it were well to consider from whence this superabundance comes, before we kill the hen that lays the golden egg. It is strange, in one breath to declare our plenty, and in the next to plead our poverty, as a reason for altering our ancient system of colony government, to get money to support us! As to the scarcity of men, I maintain, if any country wants men for its necessary purposes, there are some defects in the system of government. Every country under a good government will breed up to the numbers wanted, and the means of subsistence. If population falls off, there is some radical defect—I perceive some gentlemen seem to laugh at this doctrine—I laugh at their ignorance. Will any man alledge there is no radical defect in our government, where by impolitic impositions in your revenue laws, 1000 men are annually lost to the kingdom, and 4000 are

are tempted to work against its interest; 3000 are annually lost in gaol, or as fugitives driven abroad by the severity of your laws respecting private debts; 1000 by criminal punishments; 1000 soldiers die annually out of the course of nature, by the manner of shifting our troops from station to station, to pick up the diseases of all climates; some millions are lost, to national defence, by the oppressive laws about religion in Ireland. Is it possible to consider these facts, and assert there is no defect in the government under which they happen? The introduction of foreigners by bills of naturalization, or stretches of prerogative, to remedy such waste, can only render the disease more incurable. Administration place this war to account of the dignity of the nation; for they acknowledge no other profit, or advantage, can be reaped from it in the end. But is there any step that can reduce the reputation of this country so low, as that of depending on the electorate of Hanover for the interior government of its own subjects? What a confession at the outset in this business? that Great Britain is unequal to the contest! How are the mighty fallen since the peace of 1763? What a spectacle for Europe! Can it be supposed that the force of the empire is really so diminished, or must we impute it to the injustice of the cause, and the madness of our rulers, who, without exterior cause, have rent the empire asunder in so deplorable a degree. So far I have reasoned on the bad policy of this measure, supposing it had been permitted by the law of the constitution. I shall now consider it upon the *spirit*, and then upon the *letter* of the law.

The *spirit* of the constitution is fully declared by the bill of rights, and annually by the mutiny bill. "That the raising, or keeping up a standing army, *within the kingdom*, unless it be with the consent of Parliament, *is against law*." Is there any man so narrowed in his ideas of government, as to think, in a sentence declaratory of the first essential principles of the constitution, that the words *within the kingdom*, meant merely the territory of England. The bill of rights is not an enacting law, but declaratory of the old rights of the subject by the common law: in this case we must look for the principle that governs the rule; wherever this principle extends, the law applies. The principle is plain, that the King may never be able to assemble any military forces for unjustifiable purposes, so as to overawe the Parliament to enact, or the people to acquiesce in measures, which may be destructive of their freedom. Let us try the construction contended for by the friends

friends of administration by this rule: to what purpose prohibit the King from exercising this power in England, if he can raise or introduce into Ireland or Guernsey, or the plantations, whatever number of armed men he pleases? The reasoning is so weak and absurd, that I am well informed, the first law officer * of the kingdom has abandoned it in another assembly; besides, if this doctrine takes place, what security have the people in the colonies for any of their privileges, if his Majesty can order what number of forces he pleases, into the different colonies, without the consent of Parliament? How does this accord with the doctrines of virtual representation? If their members here have no vote in the most material of all other concerns in a free state, *the power of the sword*---the feeble protection from withholding their pay and subsistence is of little avail: the elector of Hanover may pay them; men in arms will ever find money for themselves. Nor can there be any reason alledged for resigning this power to the crown: foreigners never can be employed without leaving sufficient time for calling the Parliament; whenever it is necessary to employ them, the occasion must be so momentous as to demand the advice of the great counsel of the nation. To alledge, as in the present case, that the members of this House would rather submit that the crown should possess the power of butchering half the inhabitants of the empire, than be disturbed in their diversion of killing a partridge, is the severest satire that could be pronounced upon us. It may be true of the majority. But in that case I ask, if there can be so strong a proof of a declining empire? I ask, if such dispositions prevail, if the people of America have not just grounds of jealousy against submitting the protection of their dearest rights to such guardians? I maintain there was full and sufficient time, without retarding the measure, to call the Parliament; the transports, with the Hanoverians, are not even yet sailed from Stade. The manner of mentioning the fact in the King's speech, (more as a piece of news than as a measure on which we could deliberate) sufficiently shows that the prerogative of sending foreign troops to every part of his Majesty's dominions beyond the kingdom of Great Britain, is claimed by his Majesty's ministers as an undoubted power in the crown: and though the bill of indemnity, now introduced, shews they are under much difficulty in main-

* The lord high chancellor.

taining this doctrine by argument, yet every man of sense must see this business is merely to amuse the country gentlemen, that they might retire with decency on this day; for I defy them, under all the shifts of parliamentary doublings, to negative this motion, consistent with their former principles. Another objection to this measure occurs very strongly to me. His Majesty has declared, that any treaty which may be made for the employment of foreign assistance, shall be laid before the House. Now I maintain, some treaty for mutual contract (which is here the same thing) must have been made with the elector of Hanover, and registered in his council for the employing those troops. They are corps as distinct from the troops of this country as the Russians. His Majesty, and the elector of Hanover, are, in their political capacity, as distinct as the empress and the king of Great Britain. Does any one suppose, so perfect a despotism prevails in Hanover, that the elector has ordered the troops of that state without some formal capitulation? If there has been a capitulation, we have a right to see it. The ministers have engaged his Majesty's word, that every treaty for that purpose shall be laid on the table, and in case it is withheld, or denied, they are responsible for the breach of so sacred a declaration. But after sporting with the royal proclamation, under all the seals and solemnities of the state, in the Quebec bill; after despising charters of government granted by his Majesty's predecessors, and acquiesced under for hundreds of years, as the proper executive form of binding the nation, I am not surprised, they mock and ridicule a speech to Parliament of their own drawing.

I come now to consider the *letter* of the law. The act of settlement 12 W. III. c. 2. enacts, "that no person born out of the kingdoms of England, Scotland, or Ireland, or the dominions thereto belonging, (although he be naturalized, or made a denizen) except such as are born of English parents, shall be capable to enjoy *any office, or place of trust, civil or military.*" Now I ask, if possession of the fortrefs of Gibraltar, or Port Mahon, is not a great military trust? I ask, if the King could commit this trust to the officers of Spain, or France? I desire to know where the distinction in point of law is to be found, which renders it more legal to commit those great national bulwarks to Hanoverians than Spaniards. The ministry, under the duke of Newcastle, by advice of the late duke of Cumberland, had made the same mistake as to the prerogative of the crown in a capitulation they had made

with colonel (now general) Prevost, for employing foreigners in America, without the previous consent of Parliament. I heard Mr. Pitt, in his place, tell the then ministers, if they should dare to employ such troops, he should consider the act of settlement as broken, and that he would impeach the advisers of such illegal measures; this was at the commencement of a war with France, yet no apprehension of danger could induce that great man to yield any constitutional point to the expediency of the moment, which might establish a precedent, that might ruin his country. These ministers, though in possession of full as great a majority as generally follow the voice of the noble lord in my eye, were too wise to persevere. They brought in the act of the 29 Geo. II. c. 5. to enable his Majesty to grant commissions to foreign Protestants in America, *only* with the several limitations in the bill, which every officer knows. If his Majesty had possessed the power of employing foreign troops, where was the necessity of such a bill? The distinction that is taken by the noble lord in the war department, is trifling to the last degree. He says the difference is obvious, because in the one case, they hold commissions from the King; in the other, from the elector of Hanover. Are they less to be feared, because they do not hold their commissions from the state? Are they not equally under the order of his Majesty, when they enter his dominions? The law does not say, they shall not hold any commissions, but any office, *or place of trust*, civil or military. Our ancestors did not guard against the shadow, and submit to the pressure of the substance. What further confirms me in this opinion is, the words of the mutiny bill. It declares, as a principle in the constitution, "that no man can be forejudged of life, or limb, or suffer any punishment, but by the judgment of his peers." It makes the exception as to the army, to be employed under that bill. Gibraltar and Minorca are expressly mentioned as places within the purview of the act. Every one is now convinced, from the case of Fabrigas, after all the chicane to avoid the decision, that subjects in Gibraltar, or Minorca, are equally liable to the protection of the common law, against oppressions, as in other parts of his Majesty's dominions. The mutiny act declares, as the only authority under which courts martial can be held, "That his Majesty may grant his warrant to the lord lieutenant of Ireland, or other chief governor or governors there, for the time being, or the governor or governors of Minorca, Gibraltar, and any of his Majesty's dominions beyond

A. 1775.

D E B A T E S.

113

beyond the seas respectively, or the person or persons there commanding, in chief, his Majesty's forces, from time to time, to appoint courts martial in the kingdom of Ireland, and other places and dominions respectively : in which courts martial, all the offences above mentioned, and all other offences herein after specified, shall be tried and proceeded against in such manner, as by this act shall be hereafter directed." The subsequent part of the act declares, " That every member, assisting at such trial, before any proceedings can be had thereupon, shall swear, that he will administer justice according to the rules and articles, for the better government of his Majesty's forces, and according to the act of parliament, now in force, for the punishment of mutiny and desertion, and other crimes therein mentioned." All these regulations, it is impossible for any Hanoverian officer to comply with. Men who will not carry their ideas on the spot ; who will not attend to the precision of criminal proceedings by the English law, which leaves nothing to discretion, find no difficulty in any thing ; " Do the best you can," solves every difficulty, and forms every instruction from them. But to men of more accurate discernment, I will ask a few questions. Can any court martial be held in Minorca, or Gibraltar, without warrant from the governor ? Can his warrant order any court martial, otherwise than as described by the mutiny bill ? Can German officers, without knowing our language, swear they will administer justice according to a law they do not understand ? In case the sentence is death, who is to approve such sentence, or who is to sign the warrant to execute ? If it is alledged, the Hanoverians carry their own military law with them into our dominions, I shall put a case : suppose an Hanoverian punished by Hanoverian law in Minorca, should bring his action for damages against the governor, or in case of punishment by death, an indictment is found, would such a plea, in justification that it was done according to the laws of Hanover, be allowed ? I maintain that it would not. I assert, the moment any man enters into the dominions of the crown of Britain, he owes a local allegiance, and is liable to the punishments and the protection of the laws of this realm only, and that no foreign potentate hath, or can exercise any jurisdiction, ecclesiastical, civil, or military, within the same. If these positions are true, I demand then, under what law are the Hanoverians to be tried ? If they can neither be tried by our martial law, or their own, I ask, in what state of security are those garrisons left, when entrusted to men under

no regular martial discipline? All these things prove not only the necessity of the previous consent of parliament, before foreign troops can be introduced into the King's dominions, but the necessity of an act of parliament to accommodate the law to their situation. Some men, from approving the measure, may think this opposition springs from captious motives: I think I have said enough, and quoted respectable authority sufficient to vindicate the movers from such reproach. Numbers in this House, conceiving themselves happy under various lucrative employments and bounties from the crown, do not perceive the progressive steps the prerogative is making. Besides the daily increase of influence by additional places and pensions, when I consider the weight thrown into that preponderating scale by the royal marriage bill; the violent attempt to raise money on the subject by proclamation, in the case of the four and a half *per cent.* which was at last condemned in the courts of law, notwithstanding every obstruction that could be devised; the great inordinate and iniquitous power given to the crown by a violation of all the rights of the members of the East-India company; the further breaches in the old form of government, by the unusual powers yielded to his Majesty by the Quebec act, and Boston port bill; I say, when I consider these strides, since the short period of his Majesty's accession; the great increase of our peace establishment in the fleet and army, I cannot help expressing the alarms I feel, that a despotic government is actually intended, that the proceedings in America are only the forerunner of what is preparing for ourselves at home, and that nothing can insure the success of those schemes so effectually, as establishing the principle which is now contended for, that the King may overawe us with foreign troops; if we are not disposed to receive the chains that his ministers are forging for us.

Before I sit down, I beg leave to say a word or two, on the subject of the different addresses to the crown, which have been so often mentioned in this House, and given to the public with such affected parade in the Gazette, even descending to the meanest Scotch Burgh, while petitions from the first counties in England have been denied that honour; making the Gazette, which should be a paper of authentic intelligence, a vehicle of false information, more shameless than that of Bruxells during the last war. First, it is asserted, to inflame the nation, that the provincials had exercised great cruelties, and had scalped our soldiers. This I assert to be a notorious falsehood; that one man who was killed
was

was afterwards scalped at Concord, I believe to be true; but the treatment given to the King's troops in general, who were then made prisoners, was humane and generous. Another false fact, asserted in the Gazette, was, that Mr. Sayer had been taken up for high treason. The story of a scheme to seize his Majesty's person, when going to the Parliament House, was circulated with the utmost industry; but when the warrant was produced before a judge, not remarkable for leaning to the cause of liberty, it appeared the commitment was for *treasonable practices*; and the whole story appeared so futile and ridiculous, that this magistrate shewed his utmost contempt of the whole proceeding. Yet these truths never reach the country: men read of the cruelty of the Americans abroad, and the indignant treason of their abettors at home; what good subject, under such belief, would not offer his life and fortune in defence of his Majesty's person? If I could have believed any design against his Majesty, I should have been among the foremost to offer my life in his service. Knowing the whole to be a wicked contrivance of the ministers to deceive the King, and delude his people, my indignation turns against the contrivers of such shameful plots. What can be said in vindication of such proceedings? Is the protection of the personal liberty of the subject no part of the business of this House? The president Montesquieu says, that the spirit of liberty sees with the eye of a jealous mother the injury that is done to every individual? What man is safe under such machinations? The ministerial paragraphs in the news-papers, had long teemed with accounts of intercepted letters. At length a contrivance is devised to search the private papers of a suspected individual. Will the advisers of those measures tell us, what they have now found, or formerly possessed? Will they produce some of this intercepted correspondence, that the world may judge between us? Let us see upon what ground bail was denied to this oppressed gentleman? Why he was sent close prisoner to the Tower? Why his counsel was denied admittance? If there are no grounds for such cruel severity, mankind must perceive the motive for propagating such falsities. The tide of addressing may turn; when the people see how grossly they have been imposed on by false accounts, and false intelligence, from every quarter; when they find that all true information has been purposely denied at home and abroad. I say, when the people become sensible of those truths, their vengeance may recoil with redoubled fury. Richard Cromwell, and
James

James the Second, had their coffers filled with addressees, three or four months before they were dispossessed of all authority. These should be examples what little reliance can be placed on empty words? The good sense of this country is often deceived at first, but they generally return to the principles of freedom at last. The American contest is complicated in its nature; it demands much information, and a process of reasoning, on the great principles of society to understand the subject; every art is used to mislead and misrepresent, by men reaping the harvest of our troubles. When the nation shall feel the great loss, and the ruinous expence attending the measures of administration; when America, is lost, I am in no doubt, they will investigate the subject and call those to severe account, who are leading them hoodwinked in this wild career, which cannot be justified on any of those principles of liberty, or sound policy, by which the fame of this country has been renowned among the nations of the earth; by which it has hitherto invigorated every part of its dominions throughout the globe; by which it has raised, and by which alone it can maintain, this mighty empire.

Mr. *Walter Stanhope.*

Mr. *Walter Stanhope* in support of the motion, recapitulated what he called the errors and blunders of administration; and prophesied the worst consequences if the affairs of this country were permitted to remain much longer in the hands of the present ministers.

Lord *Barrington.*

Lord *Barrington.* Upon this question, I shall, from the attention which I have given the subject, from being in office, endeavour to shew the House wherein I think the present motion is against truth; and that there is nothing illegal in the present case. The bill of rights declares, that to introduce foreign troops within the kingdom in time of peace, and without the consent of Parliament, is illegal; and that declaration I take to be founded upon the common law of the land; but I think it has, as the bill expresses it, reference only to the kingdom itself, and not to the dependencies of it, of which our history will give us the clearest proof. Go so far back as the case of Calais; there was a garrison kept in that fortress regularly, without any consent of Parliament, or without its ever coming before Parliament. Then there were Dunkirk and Tangier, the garrisons of which were kept up without having the least recourse to Parliament; nor was it ever dreamt of, that the sovereigns of this country were acting illegally in keeping up such garrisons. As to the expediency of

of the measure, it is justifiable, because the foreign troops are easier and readier to be had in due time, and at the same time cheaper than our own troops. I know from the experience of last year's recruiting, that it would have been difficult to have procured new levies in that time. He declared the measure to be legal, and said he should pity and condemn the minister who should ask for a bill of indemnity; for his part he wanted none, though he had had a principal share in advising the measure.

Right honourable *T. Townshend*. The dangers that must arise from the introduction of foreign troops into the dependencies of the realm, if not illegal, might be very great; for it might easily be in the power of an ill-designing prince to fill all the exterior parts of the dominions with foreign mercenaries, and take opportunities to make them the means of overturning the constitution. No man should forget the natural tendency of standing foreign troops; they cannot esteem your laws; they know not your constitution; they cannot respect it. Recollect the case of the Hanoverian soldier at Maidstone, where the commanding officer told the civil officer, "Release the man, or I have eight thousand men here, and I will beat down your gaol, and take him by force." Sir, that will be the language of commanders of foreign troops. They know not the laws, they cannot respect them. Disputes will arise in quarters, and they must be terminated in this manner. But let us turn our eyes to the other countries of Europe, and see what miserable work the soldiery have made. Sir, they have overturned Europe from its basis. Look at Sweden, where the King, merely by the means of an army, has cut the throat of Swedish liberty, and rules by the sword; and I might here observe, *a-propos*, that this administration in England was necessary to the mischief, or at least attempted to prevent a reparation. I do not assert this upon my own knowledge, but I have been told it on pretty good authority, when the empress of Russia was about to stir in favour of the old government of Sweden, we interposed, and threatened her with the fleet of England, if she made any such attempt. He was zealous in vindication of the character and reputation of king William the Third, whom he called our immortal deliverer, which had been assassinated in print, and the work encouraged, [alluding to Dalrymple's book.]

Mr. Serjeant *Adair*, spoke in support of the motion, he said, he should not enter at large into the subject of American affairs, but confine himself strictly to the question before the House. He first observed on the arguments that had been used

Mr. Ser-
jeant *Adair*.

used on the other side of the question, particularly by Lord Barrington. He said, the noble Lord had affirmed that there was no statute law which limited the number of forces, or the power of the crown in that respect, before the Revolution; yet he admitted that Charles the Second keeping a standing army without consent of Parliament, was contrary to law; it must therefore be contrary to the ancient principles of the constitution, which the Serjeant contended, equally applied to the present case.

With regard to the instances mentioned, of keeping troops in Calais, Dunkirk, and Tangier, without authority of Parliament, he said, that the ill-consequences of the two latter instances, had already been sufficiently pointed out, * and the noble Lord himself had, with great candor, given an answer in the very next sentence, by observing that the same King who kept troops in those two garrisons, kept them also in England without consent of Parliament, so that no inference could be drawn as to the legality of the one, more than of the other, which the noble Lord had admitted to be illegal. As to Calais, it was the last remnant of those extensive territories formerly held in France, by our kings, who claimed also the crown of that kingdom; and no consent of the Parliament of England could be necessary to enable the King to keep troops in his French dominions.

He then argued from the principles of the constitution, that the King never had a power to keep up a standing army of mercenary soldiers, in any part of the dominions of the crown of England, in time of peace, without authority of Parliament. Nor to introduce foreign troops at any time, without parliamentary consent. The ancient armies of the crown, were composed of those who served by virtue of their tenure, for a limited time, and for particular services; which the King was intitled to in common with other inferior lords in right of property and tenure. That from the abolition of those military tenures, the crown had no constitutional military force whatever, any where, except what should be granted by Parliament. That the bill of rights being declaratory of the ancient laws and constitution, should be construed as extensively as the principles from whence it was derived; and not narrowed or confined to the mere words of the declaration, which had a reference to the mischief recited in the preamble, but should be applied to all mischiefs that came

* By Mr. Townshend.

within the same principles. That it had been held, in another house, by the highest law authority in the kingdom;* that this clause of the bill of rights, by the spirit and fair construction of it, applied to all the dominions of the crown. That this construction was confirmed by the mutiny act; which after reciting the very words of the bill of rights, goes on to say, that it is necessary that a body of forces should be kept up for the safety of the kingdom, and for the *defence of the possessions of the crown of Great-Britain, &c.* From whence he inferred, that it was the opinion of the legislature, that forces could not be kept up for any of these purposes, without consent of Parliament. That it was no answer, to say that, in fact, the number of troops mentioned in that act, are only those kept up in Great Britain, exclusive of those employed in the garrisons abroad; because estimates were every year laid before Parliament, and supplies granted for the express purpose of supporting the troops kept in those garrisons, as well as in Great Britain, and therefore the one had the consent of Parliament as well as the other.

He argued further, that the employing foreign officers was unlawful, from the act of settlement, by which no person born out of the dominions of Great Britain, though naturalized, could enjoy any *office or place of trust civil or military*. And that the command of a body of troops at Gibraltar or Minorca, was certainly *an office or place of military trust*.

That this extended not only to the kingdom of Great Britain but to all its dominions, he said, was still further confirmed by the act of 29 Geo. II. c. 5, by which the King was enabled to grant military commissions to foreign protestants in America, which would have been altogether unnecessary, if the King by his own authority could have employed foreigners in any part of his dominions. And he pointed out to the attention of the House, the precautions taken in that act, by limiting the number of such foreign officers, obliging them to take the oaths, and declaring that the colonel should be a natural born subject; none of which were or could be taken in the present instance of the Hanoverian troops, without the authority of Parliament.

After enlarging upon these topics, he stated to the House the doubts and difficulties that must arise, by what law those foreign troops should be governed, or their discipline maintained. For notwithstanding all that had been said of their

* The Lord Chancellor.

own martial law, he insisted that no man could be put to death in the dominions of this country by any other authority than the mutiny act, or the law of the land. He put it to the crown lawyers, to say, by what law disputes arising between the British troops, or inhabitants, and the Hanoverians, were to be decided.

He contended, that the proposition contained in the motion, was not only strictly warranted by the principles of law and the constitution, but that it was highly necessary that the House should come to such a declaration, to avert the danger arising from the precedent; more especially after the approbation expressed in their address. It had indeed been alledged, that the approbation went no further than the gracious motives which had induced his Majesty to the measure in question. That he had always looked upon this distinction as illusory and absurd; but at all events the only way to demonstrate that the approbation went only to the motives and not to the measure itself, was to come to the resolution now proposed to the House.

He concluded with saying, that he thought the expediency of the measure would come more properly before the House, when they proceeded on the bill of indemnity, which had been read. That, however, the evidence of history and the experience of all nations, evinced the extreme danger of calling in the assistance of foreign troops; and that the Saxons, who had been called into this island to support the British government, had themselves most effectually conquered and overturned it.

But of all foreign troops, said he, the most dangerous are those who are the subjects of the King and not of the crown and Parliament. Should any future prince of the illustrious house that now sits upon the throne, perfectly unlike his present most gracious Majesty, assisted by ministers not very unlike the advisers of this measure; should, I say, such a prince, deluded by such advisers, entertain the mad and nefarious design of overturning the constitution of this country; of destroying that liberty which was the glory and strength of his government, and reducing his kingdom to the same abject state with those of the most of his neighbours, what means could be so proper to effectuate so wicked a purpose, as filling all parts of our dominions beyond sea, with foreign mercenaries, and putting our strongest garrisons, and half our empire, into the hands of officers and soldiers, the devoted subjects of the King, but totally independent on the crown or Parliament of the kingdom?

Mr.

Mr. *Stanley* explained that foreign soldiers serving in England were under the laws of England : and in respect of the expediency of the measure relative to the want of men, he observed, that we had more men than the King of Prussia, who kept 200,000 men on foot, and as many as the house of Austria ; but as our men were employed in arts and manufactures, it was more expedient to take foreign troops into our pay, which had been the uniform practice of the kingdom, from the battle of Newcastle upon Tyne to this day : of which very many instances were to be met with in Rymer and Froissard.

Mr. *Gordon* asserted, that the measure was certainly illegal ; that a recruiting serjeant could not enlist a single foreigner, much less could you march five battalions to Gibraltar ; but condemned the motion for being an abstract proposition, without any connected question, it might carry too severe a censure upon an act, which he was convinced was well meant, and very expedient ; he trusted, that its illegality might be established by an alteration in the preamble of the bill of indemnity ; and therefore moved the previous question.

The *Solicitor General* [Mr Wedderburne] entered very fully upon the subject ; and stated to the House the different periods of time when, and the occasions for which, foreign troops had been introduced into this kingdom without the consent of parliament ; observing that there were so many precedents for such a practice, that he wondered any objections should now be so seriously started against it. He therefore put his negative upon it.

He embraced a great variety of circumstances and arguments against the motion, and in favour of the previous question. Having established, in his own opinion, he said, the legality of the measure ; he went to the propriety of it, and took occasion to remark, that if the militia laws were duly enforced, enlarged and extended, there would never more be any occasion for them to debate on questions concerning foreign troops, as such would be totally unnecessary.

Mr. *Burke* observed, that one honourable gentleman was against the motion, because it was not an abstract proposition ; another was against it, because it was an abstract proposition. He said, it was not kind of Mr. Gordon to fight opposition with a weapon which he knew they could not make use of. He observed, that the honourable member knew the measure was illegal, yet he would vote in favour of it. Now, says Mr. Burke, if I, or any of the gentlemen on this side of the House, were to argue in this manner, it would cause a horse-laugh

laugh in the House. This is not an argument *a fortiori*, but but *a majori*: it is the argument of a majority. He said the learned gentleman [Mr. Weddderburne] had ransacked history, statutes and journals, and had taken a very large journey, as was usual with him, through which he did not wish to follow him, but he was always glad to meet him at his return home.

Let us, says he, strip off all this learned foliage entirely from his argument; let us unswathe this Egyptian corpse, and strip it of its salt, gum and mummy, and see what sort of a dry skeleton is underneath.—Nothing but a single point of law.—The gentleman, said he, asserts that nothing but a bill can declare the consent of parliament, not an address, not a resolution of the House; yet he thinks a resolution of the House would in this case be better than a bill of indemnity: so that we find a bill is nothing, an address is nothing, a resolution is nothing, nay I fear our liberty is nothing, and that, ere long, our rights, freedom, and spirit, nay the House itself will vanish, in a previous question.

Lord North. Lord North desired to know whence the proofs and authorities of a point of law could be better drawn than from history, statutes, and journals; he did not think it was from wit, flowers, and eloquence, that they should be deduced. He said, he admired the hon. gentleman's method of proving a resolution to be, nothing; an address, nothing; a bill, nothing; and by the same mode of reasoning he was inclined, he said, to conclude, that a long witty speech was, nothing.

General
Conway.

General Conway was very sorry to see such learned gentlemen as Mr. Serjeant Adair and Mr. Solicitor General differ so widely in their opinions on so important a point. He said, that for his part he did not understand the laws to a practical nicety; but his experience in that House had given him so much knowledge of the constitution, that he felt the measure illegal and dangerous. He said, he could not conceive with what propriety a bill of indemnity could be proposed for a measure that was legal; the ideas of criminality and indemnity were, he asserted, inseparable. He condemned the conduct of those who advised his Majesty to bring foreigners into this kingdom, without the previous consent of parliament, but said he would vote for the previous question, because the motion was too general, and passed a censure on a measure, which so far as his Majesty was concerned, he was sure proceeded from the best motives.

Sir William
Lemon.

Sir William Lemon said he approved of the American measures; but such was his high disapprobation of that paragraph in

A. 1775.

D E B A T E S.

123

in his Majesty's speech, which informed his Parliament, that he had sent his Hanoverian troops to garrison Gibraltar and Minorca, that he was compelled to withhold his approbation of measures, which in every other instance he approved, and consequently, on that account alone, voted against the address.

The previous question being put, that the main question be put, the House divided; Ayes 81, Noes 203.

Adjourned to November 6.

November 6.

Mr. *Sawbridge* said, the bill for embodying the militia being committed for the 9th, and that day being Lord Mayor's day in London, the city members wished the bill might be postponed. Agreed to, and the 13th appointed.

No debate.

November 7.

Hon. *T. Luttrell*. At this time, in the heat of a most unnatural civil war, I hold it incumbent upon every member of Parliament, inconsiderable as he may be in his private character, not only to speak out with firmness and decision, but to exert his utmost endeavour, to restore peace and commercial property to the mother country and her colonies. Hon. Temple Luttrell.

The wisest writers on politics lay down for a rule, that those governments are the most perfect which are ofteneſt brought back to their firſt principles. Now, Sir, the hiſtory and perfection of the government of the Britiſh empire, will elucidate the truth of ſuch maxim; for there is not any other country on the face of the globe, in which the government has ſo often been brought back to its firſt principle; and that not by kings with their parliaments, but by *extra formal* aſſemblies of the people, in a *convention* or *congreſs*, which conveyed a purer and more poſitive ſenſe of the community at large, than the eſtates of the land, aſſembled according to ordinary forms, could poſſibly do; and, Sir, in every conteſt, during the laſt eight hundred years, between the people and their truſtees for executive power, the former have come off with victory; fully eſtabliſhing this plain propoſition, that all partial inſtitutions of policy, muſt, when the national welfare is in queſtion, be loſt in the more extenſive laws of reaſon and of nature; with whatever levity or fallies of wit ſuch plea may lately have been treated by ſome gentlemen within theſe walls. The happineſs of mankind firſt dictated the neceſſity and ends of government, as the intermediate power between the individual and the people. All government was created by the people, who by their original compact, reſerved to themſelves a paramount right, to which they might

might revert in cases of public danger ; to supply essential defects, to reform abuses, and to take the most effectual measures for the lasting peace and safeguard of society. The subjects of the British empire, in an especial manner, claim liberty and property, *according to their antient laws and customs*, not as a charter-gift or indulgence, but as an inherent right never to be alienated, and at no time transferred to their monarch or proxy in Parliament.

I shall not trouble the House with a research into the nature and efficacy of the British constitution ; but there are some facts requisite to sustain the arguments in favour of the motion I am going to make, which I must beg leave to call up to your recollection.

The popular form of government of the Saxons (it is well known) was in very remote times transplanted into this island from Germany ; their national conventions were continual, and according to the lunar periods. After the accession of Alfred the Great, they were regulated by the festivals of the christian calendar.

The lower we descend in history, the less regular we find these assemblies. Property encreased. The body of freemen became more diffuse and numerous. What was every man's business seemed of trifling interest to the individual, and many concurring causes rendered their meetings little frequented, till at length, they seldom concerned themselves with this duty, unless some edict or precept issued by the immediate executive branch of government, should demand their judgment and suffrages, to provide for the support of the state. But, Sir, the policy of courts gradually encroached, and at length brought the modelling of these assemblies to depend, in fact, upon the royal will and pleasure ; hence arose corruptions and intolerable grievances to the people ; but whenever the disease reached its full paroxysm, they wisely esteemed the public good as the supreme object of all civilized governments ; and when sober counsels, reiterated admonitions, and processes of subordinate judicature had failed, they, by virtue of that original power, which I insist had at no time departed from them, did appeal to the transcendent, primeval law of conscience and common-sense ; and when the acts of ministers begun in oppression, led on to a general calamity, they considered *disobedience* to be the duty of every good citizen, and chearfully bore the burthen and sufferings of a civil war, rather than become slaves themselves, and entail beggary and bondage on their posterity.

I shall

I shall now illustrate this doctrine, which I take to be the fundamental basis of our genuine Whig doctrine by some striking passages selected from your annals; first, observing that of thirty-three sovereigns of England, since William the Conqueror, thirteen only have ascended the throne by *divine* hereditary right; the rest owe their royalty to the zeal and vigour of the people in the maintenance of constitutional freedom.

The will of the people of England, superseding an hereditary claim to succession, at the commencement of the twelfth century, placed Henry the First on the throne of this kingdom, with condition that he would abrogate the vigorous laws made since the Norman invasion, restore the government as in the days of Edward the Confessor, and abolish all unjust and arbitrary taxes.

King Stephen obtained the crown, and Henry the Second kept it, on the same express terms; yet, Sir, in the days of King John, it was judged expedient no longer to trust to mere oral declarations, which state chicane and sophistry had of late years occasionally explained away, but to compel that prince solemnly to register an affirmance of the antient rights of the people in a formal charter; and this necessary work was accomplished by the congress at Runemede, in the year 1115: an assembly which ought never to be spoken of by the representatives of the Commons of England but with profound veneration.

An honourable and learned member over the way mentioned, a few evenings ago, the introduction of foreign troops into this island in the reign of Henry the Third, as a precedent to warrant the present stretch of regal prerogative in the case of the Hanoverian mercenaries: as that member is not now in the House, I shall be more concise in treating of the events he alluded to, than I otherwise intended. Sir, in the reign of Henry the Third (about the year 1233) the barons, clergy and freeholders, refused two distinct summonses to Parliament; and understanding that the King as Earl of Poictou, had landed some of his continental troops in the western ports of England, with a design to strengthen a most odious and arbitrary set of ministers; they assembled in a *convention* or *congress*, from whence they dispatched deputies to King Henry, declaring that if he did not immediately send back those Poictouvians, and remove from his person and counsels evil advisers, they would place on the throne a prince who should better observe the laws of the land. Sir, the King not only hearkened to that congress, but shortly after complied with every

every article of their demands, and publicly notified his reformation. Now, Sir, what are we to call that assembly which dethroned Edward the Second, when the Archbishop of Canterbury preached a sermon on this text, *The voice of the people is the voice of God*. And when a learned judge in the character of procurator for the mass of the freemen, surrendered the homage and fealty of the people of England, alledging that the original compact, through which they were bound to allegiance, was dissolved, by the use and aggrandisement of ill counsellors; by the administration of government, which agreed not with the ancient laws of the land, and by a total disregard to the advice and supplications of his Majesty's faithful but afflicted subjects. Richard the Second, (like the unhappy Edward) fell a victim to despotic obstinacy and favoritism; and to this King, in the same manner, was surrendered by commissioners (or proctors) the allegiance of his subjects, and a prince of the house of Lancaster (founder of our present most gracious sovereign's royal line) was invited over from banishment, and elected by the people to the throne. But, Sir, before I dismiss this reign it may be proper to observe that Richard entirely subverted the constitution of the Upper House of Parliament, for he made it an appendage to the crown, introducing peers by creation, in prejudice to the territorial baronies; and with respect to the other House, he sent orders to the sheriffs of the several counties throughout England, to return only such representatives to Parliament as should on every occasion implicitly obey the royal mandate. Nay, Sir, both Houses conjointly went at last so far as to commit their whole parliamentary power into the hands of a cabinet junto of ministers, having however first obtained the Pope's leave for so doing. I wish gentlemen who contend for supreme sovereignty in the crown and Parliament, denying any rights of the people in pre-eminence to their joint authority, would apply such argument to the state of King, Lords and Commons, at that æra. I shall next proceed to the general convention or congress, which in 1461 enthroned the Earl of March in Westminster-hall, by the name of Edward IV; the Primate of all England collecting the suffrages of the people; and at that period even the Lancastrian historians date the commencement of his reign.

But to come to modern occurrences, in 1659 a convention or congress restored legal monarchy in the person of King Charles the Second, who was then no farther distant from this island than the town of Breda, and being pressed by
many

many of the royal partisans to issue his writs for a lawful Parliament; he made answer, that he would rather be indebted for his restoration to the uninfluenced sense of the people of England, taken in a free assembly.

On the 26th of December, 1688, was held a *convention* or *congress* at St. James's, where the Prince of Orange presided; and there were present most of the surviving members who had served in any one of the Parliaments of king Charles the Second, the Lord Mayor of London, the aldermen, and about fifty of the common-council, &c. and on the 22d of January, following, by virtue of notices issued on the aforesaid 26th of December at St. James's, the memorable convention-parliament assembled in this House, and perfected the glorious work of the Revolution.

I mean, Sir, from these examples and arguments, to deduce for an uncontrovertible truth, that all the subjects of the British empire have a right to be governed according to the spirit of our ancient constitution, by which no freeman could be taxed without his consent, either in person or by his substitute; and notwithstanding the infringement of this right under some of our Norman kings and their successors, yet we find William the Conqueror himself confirming it, in his code of laws, the year before his decease. And the same explicit declaration in its favour from our English Justinian, King Edward the First, in the charter of the 25th and statutes of the 34th of his reign, admitted to be among the earliest authentic records of Parliament extant, according to the present mode of summons.

I have, I think, shewn that our kings in former days, have not scrupled to treat with a *congress*; that many of the best of them owe their crowns to such national meetings; and that this nation has, on the one hand, been saved from despotism, and, on the other hand, from anarchy, by a *convention* or *congress*; which surely possesses some advantages over a parliament; for being free from ministerial management, having neither placemen, pensioners, nor dependent retainers on their list, are more likely to hear the sincere dictates of conscience, and the unpolluted sense of those they represent. But, Sir, however inadmissible the voice of a *congress* might be deemed as acts of legislation, yet I conceive that their plea in the character of *advocates* for the constituent body by whom they are commissioned, ought in justice, as well as sound policy, to be listened to. A punctilious delicacy now in fashion, which we stile the dignity of the crown and Parliament, will, if madly persisted in, cost at least half the

blood and substance of Great-Britain. The most haughty and powerful monarch of his time, Lewis the Fourteenth, when there was a formidable commotion in the *Cevennes*, condescended to depute two marshals of France to enter into a treaty with the malecontents ; peace was accordingly made and the terms of it were afterwards faithfully fulfilled.

Look, Sir, into the history of the proudest as well as most renowned people that ever existed, the Romans ; observe the conclusion of *their* social war, and you will see they were not above negotiating a peace with those very insurgents whom they had before, individually by name, proscribed as rebels. Rome found herself at that day reduced to the same critical predicament which, I apprehend, we now stand in ; there was no other possible means of restoring concord, or saving the commonwealth from ruin : but, Sir, above all, I would wish the House to give, on this occasion, due weight to a conclusive remark of the excellent author of the commentaries on the laws of England, where he is descanting on the revolution of 1688, which placed the scepter in the hands of King William, and eventually brought in the illustrious house of Hanover to be guardians of the protestant religion, and assertors of the ancient constitutional rights of all the subjects throughout the British monarchy. “ No practical systems of law, say he, are so perfect as to point out beforehand those *eccentric* remedies which national emergency will dictate and will justify.”

I now, Sir, beg leave to offer to the House the following motion.

“ That a committee be appointed to draw up an address to his Majesty, humbly requesting that he will authorize the commissioners nominated to act in America, (for the gracious purposes expressed in his Majesty’s speech from the throne) to receive proposals for conciliation from any general convention, congress, or other collective body, that shall be found to convey the sentiments of one or more of the several continental colonies, suspending all enquiry into the *legal* or *illegal* forms under which such colony or colonies may be disposed to treat ; as the most effectual means to prevent the effusion of blood, and to reconcile the honour and permanent interest of Great-Britain with the requisitions of his Majesty’s American subjects.

The motion was seconded by Captain *Wolsely*, who said he had served some years on the coast of America, and had at this time the best intelligence possible from that part of the world,

world, and was sure a peace could never be effected but through the general congress.

Mr. *Rice* said that not having been in the House while the honourable gentleman spoke in support of his motion, he should not reply to his speech; but only observe, that no man in the House could be more desirous of peace with America than himself; but would not treat with the congress, because it would be admitting that to be a legal assembly, which must of course determine the question at once in favour of America. If that meeting was legal, all our conduct was injustice. Thought it more becoming the dignity of Parliament to find some other way; to wait a little; could but take this at last.

Mr. *J. Johnston* for the motion, as the only means of treating with America.

Sir *George Yonge* also for the motion.

Sir *George Suttie* called upon the ministers to inform the House whether they had any plan, or to inform the House what they intended to do.

No answer.

The motion passed in the negative.

November 8.

The House in a committee of supply. Lord *Barrington* Lord *Bar*
stated the army estimates for the service of the year 1776. *rington.*

He said that the whole of the force intended to be raised and maintained, was 55,000 men, the ordinary expence of which would be 1,300,000*l.* and a fraction; that the expence of last year was something above 1,000,000*l.* consequently that the increase would be 300,000*l.* He then enumerated the different services, and shewed that except the force intended to serve in America and Great Britain, the troops stationed elsewhere, would be nearly the same. In the latter there were at present seven battalions, and ten returning from Minorca, Gibraltar, and America, which would make seventeen in the whole, four of which would return with officers only; of these four the 18th and 59th regiments, which had suffered most, would be two. He next informed the committee that the garrisons of Gibraltar and Minorca would be garrisoned by five battalions of Hanoverians, consisting of 475 men each, and four of English; the two serving at Gibraltar to consist of 477 men each, the usual establishment; and the two at Minorca of 677 men each; so that by this increase of men, which was effected chiefly by the invalids which were sent from hence, another battalion could be spared from Minorca. He observed, that in the West Indies

there would be one battalion less; for instead of five there would be but four battalions, which was meant to be composed of his Majesty's royal American regiment, to be commanded by General Prevost. He said that the force to be employed for guards, garrisons, and invalids within Great Britain would be twenty thousand men, and those in America, including the force in the West Indies, Gibraltar, Minorca, and the coast of Africa, thirty-four thousand, and that the actual force in America alone would be 34 battalions, at 811 men to a battalion, including two regiments of light horse, one sent sometime since from Ireland, and Burgoyne's, intended for that service, which would in the whole amount to upwards of 25,000 men. This, he said, was the army intended to carry on the operations in America, part of which was borrowed from Ireland, and must accordingly be paid by Great Britain. He said, this was the general outline of his arrangements on paper, but he was sorry to say it was but on paper, for none of the corps but those in Gibraltar and Minorca were completed to their full complement, particularly those in, or going to America, besides the four regiments returning from that country to Great Britain; which were to return with officers only. That this was a matter, in the present situation of things, much to be lamented, yet nothing was left untried in order to remedy it, hitherto to very little purpose, for the recruiting service proceeded but slowly; that attempts were made to enlist Irish Catholics, which is what he would not have advised, had it not been for the extreme necessity, though he did not look upon the measure to be contrary to law. Foreigners were tried as single men, to be incorporated in British regiments, neither did that answer; the bounty was raised and the standard lowered, still the men could not be obtained. Such being the true state of the case, he would, he said, take the liberty to obviate a popular objection that would probably be made to the present plan of hostile operations against America upon this very ground, that recruits could not be had, because the service they were to be employed in was odious to the people in general. But his Lordship insisted that was not the true cause, for it might be traced, and found in several concurrent causes; nor could there be a stronger instance on which to found his reasonings than that at the time of the armaments by sea and land, relative to Falkland's Island, the same difficulty of obtaining recruits was felt, and no person would say, that a war designed to be carried on against France and Spain is not a popular war. Those causes were in the first

first place to be attributed, he said, to the great influx of real or nominal wealth of late years; to the consequent and natural luxury of the times; to the encreased employment this furnished to the lower orders of the people; to the very flourishing state of our manufactures and commerce; but above all to the true and natural cause, a want of men. This want of men he imputed to the following reason: He said, at the breaking out of the late war our military force every where did not exceed, (including those in the East Indies) above 40,000 men; whereas our last peace establishment consisted of 31,000 paid by Great Britain, 15,000 by Ireland, 10,000 in the East Indies, 4000 marines, which in former times were never a permanent corps, and 27,000 militia, which last description of men were as much cut off from the recruiting service, as if they had been actually enlisted; summing up then those respective numbers, they formed the monstrous amount of 89,000 or about an increase of 49,000, most of whom, on an emergency like the present, could have been called into actual service. He said, he understood that the idea of taxing America was entirely given up; that being the case, the next consideration, nay, indeed the only one, was how to secure the constitutional dependency of that country. This, in his opinion, was not to be effected without Great Britain declaring a resolution to maintain her constitutional rights, and putting herself into a situation to enforce them, should America continue to resist or refuse obedience to her just rights. This, tho' he did not pretend to speak from authority, was the general plan adopted by administration, first to arm, and then send out commissioners; and he said, that he had heard that a very great military officer, high in the esteem of his Sovereign and the nation, and who is perfectly well acquainted with America, was the person intended to be sent out as first commissioner. In the course of the detail, his Lordship observed, that of the last five regiments which left Ireland, two of them had been driven by stress of weather into Milford Haven, but as soon as the transports were refitted, they would proceed with those troops to the place of their destination.

His Lordship moved, that 20,752 men be employed for land service, for the year 1776, and that 650,200l. 2s. 10 $\frac{7}{8}$ d. be allowed for maintaining them for 365 days, from the 25th of December 1775, to to the 25th of December 1776.

That 723,432l. 1s. 7 $\frac{3}{4}$ d. be granted for maintaining the forces in the plantations and Africa, for the year 1776.

That

That 42,530l. 19s. 4d. be granted for the charge of paying, and the difference of pay between the British and Irish establishment for the troops of that country now serving in America.

That 11,503l. 7s. 3d. be granted for the pay of general and staff officers for the service of the current year.

That 104,136l. 6s. be granted for levy money, for the augmentation of the British and Irish forces for 1776.*

That 15,072l. 12s. out of savings of grants of last sessions for the charge of an augmentation to the forces, and for levy money for the augmentation to Major General Preston's regiment of light dragoons towards defraying the charge of levy money for the augmentation of the British and Irish forces for the year 1776.

That 26,783l. 15s. 2½d. be granted for defraying the charge of five Hanoverian battalions of foot at Gibraltar and Minorca, from the first of December 1775, to the 24th of December following.

That 46,838l. 1s. 9d. be granted for defraying the charge of five Hanoverian battalions, serving as above, for the service of the year 1776.

That 249,655l. 18s. 6d. be granted for the office of ordnance, land service, for the year 1776. And,

That 223,171l. 11s. 11d. be granted for defraying the expence of services performed by the office of ordnance for land service and not provided for by Parliament in 1775.

Col. Barré. Colonel *Barré* made some remarks on the noble Lord's estimate; and particularly on some of his reasonings and deductions. He observed, that his Lordship stated the establishment of the English battalions, at Gibraltar, at 477 men; those at Minorca, at 677; the Hanoverians serving at both places, at 475 men each; and those in America, at 811 men: Why not at 677 at Gibraltar and Minorca both? Why not the Hanoverians at the same number? And why not those in America at 850 men, which was the usual number during the late war, with the same number of officers? He objected against the additional companies proposed by the noble Lord, and insisted in the present state of the army, they were so much additional expence, without the least use. He said, he should not range the wide field the noble Lord travelled over, but to whatever motives he attributed the present dis-

* This resolution was amended on the report, and the sums made 89,063l. 14s.

turbances in America, he was satisfied, that the great source was the ruinous consequences of patronage. Several great interests and connexions were to be gratified, and a heavy peace establishment was formed to get rid of the army at home; it was sent to America, where it was not wanted, the weight of maintaining it was soon felt, and that shortly gave birth to the absurd idea of making America pay for it. This, he insisted, was the genuine fountain from which the disputes originally flowed, and would ever continue to flow, till the cause was removed. He observed, that the account was fallacious, as the estimate now on the table would amount to full two millions; one third of which, he ventured to contend, might be saved, if the battalions were made compleat; that is, if in proportion there were a fewer number of officers, and more men. He next turned to the ordnance and levy money, the former of which, he said, exceeded some of the years of the late war, in which our arms were triumphant in every quarter of the globe. He lamented the little information there was ever to be obtained from that board; for several of the greatest ministers and ablest men in this country, to his knowledge, had made the attempt, but in vain, every thing in that department being in darkness and obscurity. The expence of the ordnance service for this year was above 470,000*l.* and no man could tell to what the account might be swelled. On the whole, he contended, that the estimates were much short of the real expence, and insisted that nothing but the most urgent necessity, and the fullest information to justify that necessity, could warrant the representatives of the people to load themselves and their constituents with such heavy burthens. It had been all imposition from beginning to end, or some persons imagined they had an interest in pretending to be deceived. He quoted one instance out of a hundred in his memory, the rank ignorance of sending troops to Canada in the month of October. [Here he was proceeding to relate some matter, when the gentlemen on the treasury bench began to smile.] He said, he despised the spleen which created the silly observations on his story telling; it was beneath his contempt almost to take notice of them. However he was astonished that administration could fall into so gross an error; for though the pride of the navy was on this side the House, they had one officer [Palliser] to direct them, if they had thought proper to consult him; but to rectify this error, the noble Lord says, that they are to pursue their voyage as soon as the transports are ready to proceed to sea.

Mr.

Mr. Powys. Mr. Powys said he had hitherto voted with the minister on American affairs in general, particularly for the militia and augmentation of the navy; but that when he did so, he understood, and several other gentlemen understood the same, that before all the supplies were voted, the minister would lay before the House his plan. From the beginning, he said, he understood the minister so intended: if he had not thought so he would not have given his support to measures of which he was not to be acquainted. But, now not seeing in the noble Lord any disposition to give the information and satisfaction he desired, and had promised himself he was to receive, he supposed it was meant to vote the estimates first and hear the reasons afterwards, that is, that the House should begin with a division and end with a debate. He therefore moved that the chairman do now leave the chair.

This motion was seconded by Sir Robert Smyth, who not considering it as a motion hostile to administration, with whom he had uniformly acted in this business, nor in any ways tending to retard those military preparations which he deemed so necessary to be made at this crisis; not wishing to relax the nerves of government, when, in his opinion, they ought to be stretched to their utmost tone, but considering it as a motion proper to produce that pause to our proceedings until due information shall be brought before us; when he mentions information, he does not mean a few scraps of garbled and mutilated papers, but that verbal official information which he thought it the minister's duty to impart to Parliament; perhaps the noble Lord will say, that this is one of those *arcana* of state which properly belongs to the cabinet, and which it would be imprudent to impart to a numerous popular assembly; he allowed the objection to have some weight if the dispute lay between sovereign powers of equal authority, where the complicated interests of other states might be in some measure involved, but where the question lay between fellow subjects equally interested in terminating it, he did not see the necessity of so much mystery and secrecy; it might be highly improper in him to ask, as well as impolitic in them to discover the detail of their plan, but he only wanted to know whether they had any plan at all.

With respect to commissioners intended to be sent to America, he thought, that not only the persons, but the nature and extent of the commission, should be made known, that Parliament might judge whether they were men proper to be intrusted

intrusted with so important a negociation, and whether the terms they carried out were consistent with the dignity of Great Britain to offer, and the interest of the Americans to receive; he had heard certain governors mentioned, but could not help thinking them very improper men; he did not mean to cast any reflections upon a governor, a very worthy member of this House, who, from his thorough knowledge of American affairs, is very well qualified for such an important trust; but governors, as such, were obnoxious men to the Americans; he did not mean in an extensive sense arising from their attachment and partiality to a popular government; but, that for many years past, there have been continual struggles between the governors and the assemblies, which have been hastily called, and as abruptly dissolved; and the people ever consider governors, from the nature of their appointment, more interested in asserting the prerogatives of the crown, than in maintaining the liberties of the people; besides, they are fully persuaded, that most of their misfortunes have arisen from the misrepresentations of governors on this side the water. However the noble Lord may affect to treat this proposition of his honourable friend, he only begged leave to observe that this was not the rash and hasty opinion of an inconsiderate individual, but the deliberate wishes and desires of many gentlemen of a most respectable description within the House, who expect to be called upon in a short time, almost personally, to contribute a large supply towards carrying on these measures.

Lord North did not give a direct answer, though he admitted the propriety of the gentleman's reasonings who spoke last. He said a commission would be sent according to the intimation given at the opening of the session from the throne; that the gentleman need not be uneasy that any treaty of concession would be agreed to without the approbation of parliament; but it would be necessary to know upon what ground the Americans would treat before the powers sufficient to ratify what the commissioners might think expedient were derived from Parliament. When the terms that America is willing to submit to were in a state proper to be laid before that House, that, in his opinion, would be the proper time to take the sense of Parliament on previous communications, and leave it to judge of the alternative, whether the offers of America could be accepted with honour, or whether Britain ought to reduce them to a state of obedience, however hazardous the undertaking.

Rt. Hon T.
Townshend.

Right Hon. T. Townshend said, the noble Lord [lord Barrington] had given him a strong lesson against great establishments, when his Lordship said, that the keeping up 89,000 men in peace had crippled us. But, said Mr. Townshend, there is a great difference between the present division of the empire and a war with its natural enemies; those enemies are quiet, but are ready to attack us on a sudden whenever they see an opportunity.

Mr. Innes.

Mr. Innes. The present state of our American affairs flows from natural causes. The prosperity of a people depends on a form of government suited to their situations and circumstances; that which was calculated for the infant state of our colonies, is evidently defective now that they are grown great and populous. In every civilized nation in the known world, at this period of time, whether monarchy or republic, you will not find the subjects governed merely by the love and affection which they bear to their rulers. A well regulated government maintains its authority by a proper force, to restrain and correct the bad humours of discontented individuals. Is it possible in the nature of things, that amongst a numerous race of people, all of them can be sober and sensible? In every large society, there is a restless and turbulent set of men, fond of power, and envious of those in rank and station above them. Have you hitherto kept a force sufficient to maintain the authority of this country, over even a few individuals in North America? No, Sir, you have not. You laid on the stamp act, without power to enforce it: you were so weak to repeal it, without giving time to try what effect it might have in the ordinary course of things; owing to your own unsteady and factious pursuits at home.

What has been the real cause of discontent in America? It has arisen chiefly from a thirst after independency, and from the great encouragement which the colonists found on this side the water. A seditious spirit soon spreads its contagion; and, in the present case, has grown to an enormous height. Is this to be wondered at, when you consider, that both here and in America, there are to be found men of abandoned principles, ready to engage in any outrage? The more sensible, who are disposed to peace, will not interfere in proper time, thinking it is the business of government, under whose protection they live, to defend them from insult.

You are told, with confidence, that the North Americans are all of them united. It is not true. I have letters, on the veracity of which I can depend, informing me of the contrary. Ask the gentlemen lately come from North America, they will tell you they have been forced away, be-
cause

A. 1775.

D E B A T E S.

137

cause they would not join in the general riot and disturbance.

On the great question of the natural rights of mankind, and the right of taxation, I beg leave to make a few observations. When the first settlers went out, they were content to go under certain restrictions and regulations. What were those regulations? Were not the colonists confined within certain bounds, and subjected to certain terms by charter grants? Were they not then satisfied and happy to accept the terms granted them, and to be under the protection of the mother-country? Did the first settlers in the colonies, to whom the charters were granted, presume to say to the mother-country, we will abide by your laws and regulations so long as we shall think fit, but no longer? Have not the colonists all along enjoyed every encouragement and support which the first settlers could possibly have expected? Was it not then understood, that they were to be subject to the laws of this country? Will any man say, that either the original, or any of the late emigrants, ever went out with any other views than those of interest? Did the original settlers presume to talk about representatives in Parliament, and of a refusal to be taxed without their own consent? Has a man, whom I have indulged to possess a share of my house at an easy rate, but subject to my rules, a right, when I am grown old, thinking he is stronger than me, to say, I will submit to your rules no longer, the house is mine, and I will turn you out? Is it because the colonies have arrived to a flourishing condition, under the wing of the parent state, that they have a right to rebel? It has been asserted, that the colonists are the offspring of Englishmen, and as such, entitled to the privileges of Britons. Sir, I am bold to deny it, for it is well known that they not only consist of English, Scots, and Irish, but also of French, Dutch, Germans innumerable, Indians, Africans, and a multitude of felons from this country. Is it possible to tell which are the most turbulent amongst such a mixture of people? To which of them is England to give up her original right over an estate belonging to herself? I leave it to the learned and ingenious honourable gentlemen to define the true sense and meaning of the different charters granted to the colonies; but I am afraid their nice distinctions and definitions will throw little light upon the subject, and serve only to perplex and confound men of ordinary understanding.

The grand claim of the Americans is liberty; but it appears to me absurd to say, that a people who import slaves, and are despotic over them, nay, many of whom draw their

sustenance from the very bosom of slavery, have a right to the freedom which the inhabitants of this country enjoy. The North American spirit and practice in this respect, have surely nothing in them similar to what prevails in Great Britain. Would it not then be a strange piece of policy, if not a subversion of all order in the mother-country, to countenance this dangerous spirit, which evidently aims at independency, and might speedily degenerate into tyranny, over their present constitutional superiors? What claim can those persons have to an increase of liberty, who do not grant the smallest exercise of it to their neighbours? or, if their claim were to be admitted, in what manner is such liberty to be dispensed? Partially, or impartially? Is the grandchild to be free, and the grandfather to remain a slave? Is the brother to enjoy liberty, and the sister to be excluded from it?

The question concerning the natural rights of mankind cannot with propriety come under consideration in the present dispute between us and our colonies; liberty, genuine liberty, if it exist at all, is confined to this and our sister kingdom.

If our forefathers have been so negligent as not to give stability to the authority of this country over her colonies, it is high time that we should do it.

I cannot reconcile it to the duty I owe to my country in general, and to my constituents in particular, to be silent on this great occasion; things are got to such a height, that it behoves every man to give all the assistance in his power.

The method hitherto pursued to quell the rebellion in North America has proved ineffectual, because it was mild and gentle. We are not however to despair; more vigorous and better planned measures will have a different effect. Your troops received a severe check on the 19th of April; what else could be expected? The provincials were provoked at being represented as cowards; they were determined to convince you of the contrary; they fought, indeed, but how did they fight? They attacked your troops from windows of houses, and from behind walls, at a time the soldiers were fatigued with a long march; neither has the lamentable affair of Bunker's Hill, on the 17th of June, any thing surprising in it: the provincials were strongly entrenched on an eminence, a situation which inspired courage, in confidence of safety; yet our troops fought and conquered under the greatest disadvantages. Boston is a place badly situated for defence, surrounded by hills, and liable to be attacked in various ways; it is therefore entirely improper to keep an army at a place so circumstanced, and for this reason your troops ought to be removed from thence.

There

There has not as yet been any regular engagement, nor a fair trial of military skill and courage between his Majesty's forces and the rebels; the numbers of the latter are undoubtedly great, and it will be difficult, if not impossible, to conquer them, if attacked when so securely entrenched.

The people of the Massachusetts Bay appear to be both obstinate and enthusiastic to the last degree; they ought therefore to be treated like mad men, whom it were folly to contend with; I would on this consideration advise to shut them up with frigates and sloops of war, and leave them.

A noble Lord may remember, I took the liberty to propose this measure to him in the month of February last, before the reinforcement went out, and from a full persuasion of the propriety of it, recommended to his Lordship to send all the army to New York and Philadelphia. I wish that plan had been adopted, it would have prevented much bloodshed and other ill consequences; but it must be admitted, that no human foresight can determine in what manner the best concerted plans will operate. You are losing, to all appearance, a complete year by your army being kept at Boston: the enemies of administration exult, and reproach you with the ignominious situation of British soldiers, cooped up in a state of inaction. But let not this discourage us; if it were not for the real loss of so many brave men, who have unhappily fallen, every other consideration is immaterial; you are not, however, without some advantage; time, which brings all things to an issue, seems to be working favourably for you.

I presume, with all deference, still to offer my poor opinion; it is, that the army should be sent to one of the southern colonies, to make one strong post. If there is to be more fighting, let the provincials make the attack, if they please.

I take it for granted you are to have an army of twenty or twenty-five thousand men in North America next spring; although I mean they should be entrenched and act on the defensive, yet they may act offensively as opportunity offers. Your army posted in a secure situation, will give loyal subjects encouragement to declare themselves; they only want protection.

I think there can be little doubt, that the force intended is sufficient to subdue the colonies to the southward of Delawar River, and that sloops of war may easily obstruct the passage of an army from the northern provinces, should an attempt be made to cross that extensive river to join the insurgents on the other side.

Your success against one half of North America will pave the way to the conquest of the whole, and it is more than probable

you

you may find men to recruit your army in America; money will engage them to enlist. Such of those deluded people as are determined to continue in rebellion, may be allowed to carry on their military designs and operations in the interior parts of the country, as long as they can keep together; they ought not to be followed; let your army still maintain one firm post. In time the rebels will be tired out; they will be perplexed if you do not follow them; their guilt, folly, and expence, must breed intestine dissensions; the common men must soon be convinced of the fraud of being paid in paper currency; the foolish and wicked resolves of the congress with regard to non-importation and non exportation, will soon recoil on themselves and prove their destruction. The congress, by their ridiculous and presumptuous scheme of a bar to all trade with Britain and her islands, have exposed themselves to contempt, and, by this time, must be feeling the ruinous effects of it. They vainly imagined, that all the merchants and manufacturers of Britain would have taken the alarm, and, through fear of the loss of trade, have yielded to their views; but the good sense of the people of this country has shewn them and the world, that they are not to be deceived by such artifice.

Another of the ingenious devices of the North Americans, was, to lay in a stock of goods, which they thought sufficient to cloath them for an extraordinary time; but by authentic advices, they are already in great want of all sorts of necessaries: as one instance within my own knowledge, a letter I have received within these few days from a correspondent in North America, inclosing an order for goods to be sent next spring if possible, contains this paragraph, "My negroes will suffer much next year, if matters are not speedily accommodated, what the poorer sort of planters will do, I know not, for there is not a piece of linen of any sort to be got in any of the stores."

I hope the friends of the colonists will not be so bold to assert, that they are such a supernatural race, as to live without cloaths, any more than they can exist without meat, drink, and sleep.

After your army has fortified one strong place, detachments may be sent to other sea-port towns to erect forts under the cover of ships of war; it will soon appear how far settlements may be extended in the southern provinces.

If your sloop are vigilant, which doubtless they will be, it is next to an impossibility that cargoes of goods can be smuggled into North America to any extent, even in the three winter months, which are only severe to the northward; trading

trading vessels can scarcely escape sloop of war, properly stationed on the coast, and within the great rivers. In this situation the colonists will be driven to the last extremity for want of cloaths and other necessary articles, particularly those of the woollen kind. It is scarce possible they can subsist with any degree of comfort without British and Irish goods; if they are supplied with the manufactures of this country by any indirect means, yet the pretext of the decline of trade may be kept up by designing man, although in fact it be flourishing.

I have read the petitions and addresses from some of the manufacturing towns, giving a dreadful representation of their fears and apprehensions of a total decay of trade, "should that be interrupted which we derive from a friendly intercourse with North America, and by which alone our rank in Europe can be supported." In these petitions they artfully insinuate, that the present flourishing state of commerce throughout the kingdom, is owing to accidental and temporary causes, such as "the peace of Poland, the Spanish flota," &c. Sir, these petitions are calculated merely for the purpose of imposing on weak minds; this country furnishes many articles of commerce, from natural growth, and by the dexterity of our artists, which no other part of the globe can produce; it is impossible therefore that we can be deprived of our usual share of trade with every part of the world; North America in particular cannot be supplied with several of her commodities, except from Great Britain. If a survey were taken of the state of the manufactures over all Europe, it will not be found, that one nation with another possesses above one year's superfluous stock of goods, any more than an extraordinary quantity of provisions; on the supposition therefore that the American trade should be diverted into a foreign channel, the nation which supplies them, must of course be itself speedily exhausted, and forced to apply to Britain for a recruit.

Sir, I declare myself averse to any further concession towards the colonies, than what was offered by the conciliatory plan, namely, "that the colonies should furnish an adequate sum, to be raised amongst themselves towards the general expence."

The defence of North America has cost this nation many millions; and it is but equitable now, that the colonists should contribute to the alleviation of that burden. Administration, in my opinion, betrayed the dignity of this country in making even that proposition, and after what has since happened, the rebels are unworthy of such mild treatment. From whom ought proposals of accommodation to come?

Have

Have they not been the aggressors? Have they not grossly insulted the constitutional authority of this empire? The North Americans in general, indeed, are objects of compassion, rather than of resentment; they have been led on, and insensibly made the tools of factious and discontented men in this and their own country. It is more than probable, the stamp act would have been submitted to, had not the opposition to it been countenanced here.

As affairs are now situated, some new and uncommon expedients ought to be devised, to rectify them. One of our great objects at present should be to succour our innocent and peaceable subjects in this their time of distress; for this reason, I cannot altogether approve of all the acts passed for the punishment of the delinquents, because they involve the innocent with the guilty; the former, as well as the latter, are in great want of all sorts of cloaths.

It being unsafe for merchants to send out goods, it is submitted, whether it would not be good policy in government to give orders for, and export, a quantity of such commodities as our loyal American subjects are known to want most, and particularly cloathing for women and children; this would be an act of great benevolence, as well as sound policy. Such goods might be under the care of supercargoes, protected by the army; they would be ready to supply our friends, and also such of the disaffected as might be disposed to submit; this, under good management would prove beneficial, not detrimental to the public; nor would it require a very large sum for this purpose; the goods might be bartered for flour, and other provisions for the army. Merchants would, after some time, be induced to send cargoes to the places where the army was securely posted, which would relieve government of that trouble. Sugars, rum, molasses, and even tea, articles all of them much wanted, would find purchasers, and be very acceptable, they would be the means of procuring bread, flour, Indian corn, staves, shingles, &c. for the West India islands; the sloops of war would protect trading vessels to different towns and creeks on the rivers; detachments of soldiers might be sent to assist the landing of goods; trade would thus be at least in the choice of foes as well as friends, and their necessitous situation would constrain them chearfully to embrace it; for who can suppose that the naked would refuse to be cloathed, or the miserable to be relieved! and thus the olive-branch would be held out to them in one hand, while the sword is kept in the other: let them make their option; if they are determined to remain obstinate, we have only

only to continue firm; and I trust the contest will be decided without much further bloodshed. It cannot be doubted that those who are loyally disposed, of whom there are many, wait but a pretence to shake off their obedience to the resolutions of the congress, to which they now submit through compulsion.

As to the West-India islands, one of the capital objects of attention, your effecting the conquest of even only two or three of the principal towns on the continent, would, in a great measure, furnish them with necessaries; this should be done with all the dispatch possible.

With regard to our manufactures at home, a no less important object, if the proposed exportation should take place, they would be kept in employment, and thereby much uneasiness prevented; it is surely of the last consequence, that the distresses of the industrious part of the nation should be alleviated to the utmost, and their affections to government preserved. How is this to be effected, if no goods are to be sent to America? The manufactures ought, nevertheless, to be purchased at the risque of the public, and the goods laid up in store till a demand for them should offer. This is a common cause, and should be supported at the general expence, if any should be incurred.

Sir, I must beg leave also to mention the situation of another class of men suffering great hardship; I mean the merchants and traders to North America, whose fortunes are locked up whilst the present disputes subsist; not owing to the want of inclination in their principal correspondents abroad to remit, for there are men of as great honour in North America as any where, and who have sent all the payments they could; but in the present general confusion, which obstructs the administration of justice, a stagnation of payments follows of course.

It is impossible for the merchant, under these circumstances, to discharge his debts to the shop-keeper and mechanic, and this brings on a general distress. To remedy this evil, a committee of merchants, not in the American trade, might be appointed to examine into the difficulties which the North American merchants labour under. What they want is money, or a credit for it, to answer their present exigencies; and, I presume, they would be well satisfied with a sum equivalent to one half of what they are disappointed in. To effect this valuable purpose, I am persuaded, a less sum than one million would be sufficient. Government, for this end,

might issue bills under sanction of Parliament, bearing four per cent. interest, to be lent to such merchants as may be found intitled to this aid, under the stipulation of their paying the interest on the bills so lent, half yearly, to the possessor of them. It being further understood, that the borrower shall, besides his own security, find two sufficient bondsmen to be answerable, by indorsing the bills, for the repayment of the loan at the end of two years after peace is re-established with America, or with the particular colony where any individual's effects may be detained. Still further, in order to give full satisfaction, both to the holders of said bills and to the public, they must be so qualified as to return on the merchant and his two securities, and be no longer passable after the two years are elapsed, from the time public notice has been given that peace is restored, and courts of law open for the recovery of debts. In this, or some such mode, a very necessary piece of business might be transacted, without much, if any loss, to the public; and, indeed, no loss can happen, unless not only the merchant, but likewise both his bondsmen, should become insolvent. My own concerns in North America, are too small to induce me to propose this plan from selfish motives; I hope, therefore, this House will do me the justice to believe I am only pleading a general cause, from the satisfaction it would give me, to be in the smallest degree instrumental towards promoting the happiness of the British merchants. This is no new thing in the commercial world, for within these few years, the Empress of Russia, at a time of general distress, ordered a considerable sum of money to be lent to the merchants in her dominions, which prevented the ruin of several of them.

The manufacturers and traders who are afraid of the loss of their business, are much mistaken if they think it is to be preserved by a repeal of the acts complained of, or by a submission to the Americans; to rely on their affection to this country, would indeed be to build on a sandy foundation. It is notorious to every merchant in the American trade, that the most northern of the colonies, have long been in the practice of smuggling every article of goods they could from Holland and Germany; and all the colonies, without exception, have discovered great partiality to the French islands, in preference to the British. If you give up your authority over the colonies, it is losing the substance for the sake of the shadow; it is sacrificing a lasting trade for a momentary, ill-judged tranquility.

You

A. 1775.

DEBATES.

145

You have been told, with apparent gravity, that "peace is in your power; that you have only to embrace her to possess her;" but consider what kind of peace is meant, and from whose mouths the voice of peace proceeds. Does it come from the lips of bosom friends? Does it flow from those you have reason to believe sincere? Is it not rather the language of mockers, revilers, and deceivers, of men who wish your destruction?

Peace is recommended by some right honourable gentlemen who tell you the declaratory act (an act passed while they themselves were in office) means nothing. That act certainly meant something at the time it was made; the intention of it must at least have been a deception on this country, to palliate the disgrace of repealing the stamp act.

Those advocates for a paltry and inglorious peace, seem to depend too much on their rhetorical abilities; they wantonly sport with the constitution of this great nation, merely with the view to overturn the present ministry, under the pretence of rescuing their country from imminent danger.

Supposing those mighty patriots were to prevail in the present struggle for power, and to have settled with the Americans upon their own terms, these honourable gentlemen, when in office, may again change their language, and tell the provincials, as they have told you, that they meant nothing. Let the Americans trust them, if they will; but as you have been already deceived by their dissimulation, it would be the height of folly in this country to put confidence in such men a second time.

You are upbraided with insolence, cruelty, and bloodshed. Ridiculous, false, unjust! Did not the rebels first begin the attack on the King's troops in both the engagements? Admitting the tea act was wrong, does that justify the audacious steps their lawless mobs took, to shew their resentment against it? Can any act of government, even a mistaken zeal for the authority of this country over her colonists, justify the raising of armies, the concerting and conducting every other device of war, to resist the legislature of this country? Have they not exercised such cruelties over our loyal subjects as our most inveterate enemies would shudder at? Will you not resent such inhuman acts committed on your defenceless friends and subjects, who have been (men, women, and children) driven from their peaceful habitations? Did not the congress first, by their resolves, endeavour to starve your West-India islands, and also to deprive your industrious ma-

manufacturers of employment? Have they not, by every art, endeavoured to throw this kingdom into the utmost consternation and confusion? Can you bear such repeated insults? Can you, after so many and deliberate indignities offered you, treat with them, but as with revolted, rebellious subjects, who ought thankfully to submit to such conditions as you may think proper to give them?

I hope, and trust, the ministry will continue firm, and that after ages shall not be able to say, that in the days of our most gracious sovereign, George the Third, America was lost to England. Let us be steady in pursuing the interests of this country, but at the same time merciful and forgiving. It is more than probable that the ringleaders in this mischief are but few in number; if they can be laid hold of, they deserve no mercy; convince the lower class of those infatuated people, that the imaginary liberty they are so eagerly pursuing, is not by any means to be compared to that which the constitution of this happy country already permits them to enjoy.

Patience and perseverance in this great work are absolutely necessary; the time does not yet seem to have arrived for the Americans to acknowledge their error. The natural course of things will do more for you than great armies.

Where is the necessity of haste? It is even better to risque a war also with your real enemies, than to end the present contest in a dishonourable, pitiful, and disgraceful way. Some things require great dispatch, others mature deliberation; the more time you take to settle these controversies, you will obtain the better terms: negotiations for peace resemble transactions in trade; he who is the most eager to buy or sell, usually makes the worst bargain.

This country, when united, which it certainly must be in cases of necessity, where the well-being of the nation is at stake, is always able to defend herself against the whole world; consequently powerful enough to reduce her revolted colonies to obedience. Let the colonists know, that the longer they resist, the heavier burden they will incur, as in justice they must be made to defray the expences of subduing the present rebellion. They have given you the opportunity, and now is the time, to insist on terms, safe and honourable for this country; inform them, in plain language, that you are determined to erect forts, and in future to keep up a sufficient force amongst them to maintain peace. Your naval power is great; your resources for military men, while you have riches, are im-

menſe; but above all, your cauſe is juſt: be not afraid; Heaven will ſupport you.

General Conway. If Adminiſtration meant any thing, Gen. Con-
they ſhould have proſecuted the operations by ſea. He con-
demned the whole of the arrangements now propoſed. He was
certain the force, now going to be voted, would not be ſuf-
ficient. He was certain no force they could, with their ut-
moſt exertions, raiſe or maintain, would be adequate to the
taſk: it was not only his own opinion, but that of ſeveral
general officers, men of rank and eminence in their profes-
ſion; nay, it was the opinion of one of the firſt general of-
ficers in Europe, whoſe name, if inſiſted on, he was ready
to mention. But ſuppoſing the force to be adequate, ſup-
poſe you could carry every thing according to your own ex-
pectations, what would it amount to? Do you think the
other powers of Europe will ſit ſilent and inactive at ſuch a
ſeaſon? Do you think, though they ſhould not take an open
part, they will not encourage and ſpirit up theſe people? they
will not give that kind of aſſiſtance which America
wants, and they can beſt ſpare? It is true, Holland has pro-
hibited any communication with the Britiſh colonies. Has
France or Spain iſſued any ſuch public order? Or if they did,
ought it to be depended on? I am ſure it ought not. I have
the ſtrongeſt reaſon to believe, by information from perſons
well acquainted with the matter, that none of them are to be
relied on; and I have heard, from no mean authority, that
at leaſt one of the former powers has given, and will con-
tinue to give them every ſecret aid, till they no longer ſhall
have an intereſt in concealing their real ſentiments. For my
part, I diſapprove of the whole proceedings from the beginning
to the end; the principles, the meaſures, the ſyſtem, all
claim my warmeſt diſapprobation; I am therefore determined
to ſet my face openly againſt them. The noble Lord who
has the direction of the affairs of this country tells you, that
the Americans aim at independence. I defy the noble Lord, or
any other member of this Houſe, to adduce one ſolid proof of this
charge. He ſays, the æra of 1763, is the time they wiſh to
recur to, becauſe ſuch a conceſſion on our part would be, in
effect, giving up their dependence on this country. I deny
the concluſion too. I would aſk the noble Lord, did the
people of America ſet up this claim of independence previous
to the year 1763? No, they were then peaceable and dutiful
ſubjects: they are ſtill dutiful and obedient,—[Here a mur-
mur of diſapprobation] I repeat my words; I think them ſo
in-

inclined; I am certain they would be so, if they were permitted. The acts they have committed arise from no want of either; they have been forced into them. Taxes have been attempted to be levied on them; their charters have been violated, nay taken away; administration has attempted to coerce them by the most cruel and oppressive laws. What will men not attempt in such a situation? What will not freemen feel under such a complication of misery and distress? How does any man in this House think men should act, when overwhelmed with a train of calamities? How ought freemen and Englishmen to act under such circumstances? I will not say that the assertion may be strictly legal, but I am sure it is founded in the fundamental principles of this constitution, and the natural rights of mankind, to affirm they are fully justified in their resistance; and, I hope, that that principle is deeply engraven in the heart of every Englishman. I would ask, is there one of you that would tamely or basely submit to such a manifest injustice? I say it is injustice in the most aggravated sense, to take money from people against their consent, nay their express disapprobation, without a single information relative to their abilities or means of payment. The noble Lord says, the contest is not now about taxation, but whether the people of America are to form a dependent part of this empire, or are not. But I beg leave to say, that the dispute this moment existing, is about taxation; for but once give up the claim, and every single step you have taken throughout this business has been no less mad and ridiculous, than violent and unjust. You sought a revenue, to which you had not a single fair pretension, because they fully contributed to the proportion of the public burdens by acquiescing in the monopoly of their trade. In fine, though measures of coercion were constitutional, were equitable, I am perfectly satisfied they are totally impracticable. I am sure there is not a gentleman of the profession, however sanguine, will rise and tell the House, that he believes, the force to be voted this day is by any means proportioned to the extent of the necessary operations, though the regiments were effective and every way complete. If this be then the case, it is plain some other plan is in contemplation. Let then the noble Lord in the blue ribbon, rise and give us some information. I do not desire the detail, let us have the general outline, to be able to judge of the probability of its success. It is indecent not to lay before the House some plan, or the outlines of a plan. He demanded repeatedly, what

what did the noble Lord mean? How did he intend to act? If his plan is conciliation, let us see it, that we may form some opinion upon it; if it be hostility and coercion, I do repeat again, that we have no cause for a minute's consideration, for I can with confidence pronounce, that the present military armament will never succeed.

Mr. *Jenkinson* contended, that several of the acts desired by the Americans to be repealed, did not directly relate to the present contest. He said, he was afraid that all attempts to conciliate would be fruitless. A noble Lord [Lord Chatham] in the other House, had formed a plan of conciliation; another originated in that House; but what was the reception they met with? They were both treated with every possible mark of disrespect and contempt; nay, so determined were the continental congress to reject any pacific overture, that they refused so much as to receive the latter as a basis for treaty or negotiation. He said, if there was the least prospect of success, it would be the accompanying our terms of conciliation with a considerable force. There were several terms to be made before conciliation could be obtained. He could mention many, but at present would only mention one; that security should be given to all those who had adhered to the government of this country over America; and had, in consequence, been driven from America. Terms of force were the measures chalked out by his Majesty, in his speech from the throne; a formidable armament, conditions of conciliation, and gracious offers of forgiveness and protection. On this foundation the present vote was proposed: if, therefore, premature explanations were desired; if the gentlemen, who pledged themselves to support those measures, had altered their minds in one event, or had withdrawn their confidence from the King's servants, he saw no possible way to remedy matters but by a change of administration; observing, that at this very time, after going such lengths, how cowardly it would be to decline the contest almost at the very outset.

Lord *John Cavendish* said this was treating Parliament with every possible degree of disrespect. Measures are concerted in the cabinet; the King is made by his ministers to express his general intentions; the House of Commons is desired to support those measures by voting an enormous war establishment; and when questions are asked, and explanations are desired, even by the very friends of administration, the gentlemen who call for a plan are very laconically referred to the King's speech. The speech holds out generals, and refers

you

you to particulars ; when these particulars are called for, the speech is quoted, as the true standard of information. He trusted, he said, that Englishmen would never submit to slavery, much less submit to the tyranny of their own countrymen ; and it was the peculiar business of all those in this country, who valued their own liberties, to defend those of their brethren in America ; for they might depend, that the same system of government that was attempted there, would at length make its way hither, and the liberties of America and Great Britain be buried in one grave. His Lordship observed, that we armed at the time of the affair of Falkland's Island, and put the nation to an enormous expence to no purpose, a peace having been secretly concluded.

Lord Fred.
Campbell.

Lord *Frederick Campbell* said, peace was not concluded ; but that vigorous and seasonable armaments produced peace, as he hoped that, we were proceeding to vote, would on the present occasion.

Lord John
Cavendish.

Lord *John Cavendish* insisted he was right, though the fact might have been seemingly as the noble Lord stated it ; for the point in issue was, the *disavowal* of the court of Spain, which preceded the increased naval and military estimates ; and the only matter which remained to be adjusted at the time the House voted the money, was barely the punctilio, who should *disarm first*. The House was therefore deceived. He remembered a prodigious naval establishment was voted in the year alluded to ; we suddenly disarmed, and yet the demands on Parliament, the succeeding session, and ever since, were as high as if no such armament, accompanied by the circumstances now mentioned, had been ever voted.

Mr. Demp-
ster.

Mr. *Dempster* complimented General Conway, both in his civil and military capacity. He replied to an observation of Mr. Jenkinson's, relative to general Conway's contending, that the Americans were justifiable in resisting the execution of an act he had himself, in his ministerial character, brought into that House [the declaratory act.] He contended, there was no manner of inconsistency in the right honourable gentleman's conduct ; the principle on which he brought in the bill, and a resistance to the mode of enforcing it ; for when the bill asserted, that Great Britain was sovereign, and had a right to make laws for the colonies in all cases whatsoever, the true construction of that law, the intention of those who framed and supported it was, that the Parliament of Great Britain had a right to bind the colonies *constitutionally*, not arbitrarily ; they had a right to secure their dependency on the mother-

mother-country, not to tax them unrepresented, not condemn them unheard; they had a right to rule them like Englishmen, not to oppress them like slaves.

Governor *Johnstone* was not surprized administration were Gov. Johnstone. unwilling to give information; for he believed they had none.

A remarkable proof of it, he said, was that Mr. Penn, has not, since his arrival from the very city where the congress has twice assembled and deliberated, been asked a single question; not even when he presented the petition from the American Congress to the noble Lord who is secretary of state for that department.

Governor *Pownall*, (who had been up several times before but the chairman pointed to others) began with observing that still persevering, he arose to speak under every disadvantage and ill impression that a man could offer himself. He appeared, he said, like one determined to force his impertinencies on the House, and to obtrude opinions which the committee were unwilling to hear, yet, that was not his turn of character; he very seldom troubled them, but at present, besides the desire he had to speak his mind, he had particular reasons respecting himself and his conduct in this business, which he wished to give, in explanation of what might be otherwise much misunderstood and much misrepresented. He said, he had been invariably an advocate for peace; was so at this hour, and ever should be; and yet, circumstanced as affairs now were between this country and America; he should give his vote against our laying down our arms, and for the continuance and strengthening our force. If ever, said he, I had misrepresented the state of facts; if ever I had used the informations of which I was possessed, either to trumpet up a false alarm, or to give false hopes; if ever I gave or supported an opinion to serve any party whatever; if ever in any instance I treated these matters as party matters, I should be ashamed to rise in this House, I should not dare to open my mouth on the subject, now in this horrid period of events. Now that I am going to speak to facts, and give my opinion on those facts, if there is any person, who can fix upon any one article in which I ever misinformed the House, either as to a single fact, or as to the effects of things, I beg he may not only disbelieve me now, but mark the fact. He said, that in the wretched commencement of this sad business, in the year 1769, he had given his opinion against measures of force, and by stating the evils and destructive consequence of such measures, had endeavoured to turn the mind of our leaders from *measures of force* to *modes of policy*; he had never

varied from that line either in his conduct or opinion. Was it now in the power of the House to have a choice, and was it now the question whether we should pursue this civil quarrel under modes of policy or by measure of force, he should now, as he did in 1769, give his opinion and his vote against force. But that was not the ground on which we stood; our debates were not whether or no we should go to war; we were at war. The Americans, (by a miserable fatality become our enemies) “had closed with us in an appeal from reason to arms,” “were determined to use the power which their Beneficent Creator had put into their hands, and to persevere with the utmost energy in the cause in which they were fatally involved. That they had great internal resources, and every reasonable and well-grounded assurance of foreign aid.” That while they thought that we expected of them an *unconditional submission*, their *ultimatum*, held out to us, was the laying down our arms, and a confession and relinquishing of our errors in opinion and conduct. That so going back to 1763, a period in which these errors were realized by practice, they might then treat with us as to what remained. He said the winter of course gave a natural respite to military force. He wished any ground might be found to give an actual suspension of arms; but he could not as a Briton, and in a British House of Commons, entertain the idea, in the face of the enemy under arms, of our laying down our arms, and surrendering at discretion. He wished for peace; he thought peace might be had; but as the Americans were in all events prepared for war; they set us the example; we should also be prepared, if peace could not be had this winter. The Americans meditated, and were able to establish, and would establish, as an independent state, a republic: “but necessity”, to use their own words, “had not yet driven them to that *desperate measure*. They still wish to remain united to the nation, subordinate to the mother-country, obedient to its sovereignty. They still lamented, as the last and worst of all evils, (slavery only excepted) the breach with us, and most sincerely and ardently wished a reconciliation.” He said, he was of opinion, that peace might be had on safe and honourable terms. He ventured very peremptorily to affirm it; he said, you may, if you will, have peace on terms which will save the honour of government; which will establish the sovereignty of this country, a constitutional sovereignty; and restore the union of the empire in all its commercial felicity.

A. 1775.

D E B A T E S.

felicity; and, those matters settled, you may have a revenue *by compact*. But this peace is not to be obtained by dishonourable concessions and repeals; repeals of statutes back to the year 1763 would give them the advantage-ground, while concessions would cut the ground from under your own feet. You would concede, by such preliminaries, *data* from whence conclusions, which you could not resist, would be drawn to the giving much more than is now asked. And yet every justice might be done to the rights and claims of the Americans, and even your own rights and sovereignty confirmed and established without these direct concessions and repeals. By a revision and reforming of your whole system in the true spirit of the establishment of your colonies, in the true spirit of your act of navigation and the laws of trade, as first formed in Lord Clarendon's time, who understood the affairs of the colonies better than ever they have been understood since.

This being, he said, his full persuasion, and having assured himself from his Majesty's speech, that however necessary it had been thought, and really was, to prepare for war at all events; yet his Majesty's ministers had engaged themselves to some plan of pacification. This, he said, he thought was a matter so much to be wished, and which was truly so much wished, that as far as in him lay, he should give his aid and assistance to it. That he wished as anxiously, and as ardently, as the gentlemen who called upon ministers to produce their plan, to see it come forward; and did hope they would produce it. He hoped that every line that might lead to peace would be tried before the opening the next campaign; but yet thought, that by a respectable and even formidable armament, we ought to be prepared for that campaign, if necessity obliged us to open it. But setting his foot firm on this ground of peace, he thought that those whom his Majesty entrusted with his powers of government could alone make it; that therefore under the same idea by which he objected to the present motion, he should object to the bringing forward any other propositions, by any person whatsoever which was meant to anticipate, or to frustrate those measures of peace, which he hoped he should see put by his Majesty into the hands of his ministers. That until we saw how far these were practicable and honourable, or otherwise, he should be against any other persons taking the business out of their hands; that as we heard last year the conciliatory proposition explained into an auction, at which the

the Americans were to bid up for their rights, so now he found we were to have, (by a competition of propositions to be brought forward by some gentlemen) a *Dutch auction*; at which parties were to bid downwards for the good will and favour of the Americans; those to be best entitled to it who could offer the lowest terms; he thought this, he said, so unfitting, that he would put the previous question upon any such propositions, even upon those which an honourable gentleman [Mr. Burke] had given notice he would propose and move.

He then went to the explaining some matters of fact which had been asserted. First, in answer to an idea of his being intended to be one of the commissioners mentioned in the speech; he totally disavowed any communication about it, or the least knowledge of it. He said, if it were offered, he should wish to know, first, whether the powers to be granted were such as could be of any use; he said these commissioners could not treat with the present self-created congress, and on the other hand, that no provincial assembly would treat with them; he said there must be other means found to obtain even preliminaries whereon to treat. In answer to a charge made against ministry for sending the transports so late to America, and to Quebec especially, he said, single ships might and did go all the year round to some part or other of America; that they might even get up to Quebec so late as Christmas; that until the river was shut by being frozen up, the northwesterly and monsoons, on the latter season, were not against but for them when once in the river; that though there might be bad weather before, yet winter did not usually set in, so as to shut up the river, 'till Christmas.

A gentleman had said that the French exclaimed against our conduct at the breaking out of last war, in seizing their ships without a previous declaration of war, as a breach of the law of nations. He explained this, and shewed that the French were the aggressors, and that they broke the law of nations, by seizing our Indian-traders, carrying them prisoners in irons to Canada, confiscating their goods to a great amount, destroying their habitations and settlements, and taking the King's forts by force. That he had the accounts of these losses made out in an authentic way, had sent them to the minister at the time, and had now duplicates of them by him; that he hoped therefore we should hear no more of this reproach.

Mr. Burke.

Mr. Burke was witty on the notice now given of putting the previous question on his motion; pointing out the wonders

ders that were daily enacted through that means. He congratulated administration upon it; and observed, that they had already given up the idea of taxation, and seemed rather doubtful of recovering America on any terms; but in such a state of political despair, the honourable gentleman tells them, that not only peace and America may be recovered and restored, but that a revenue may be yet obtained; and as a proof of the efficacy and probability of this plan, every proposition that came short of that, nay every proposition but that of the minister, should be smothered in embryo by the previous question. He admitted, that the honourable gentleman had knowledge—But now, he said, (looking at Mr. Jenkinson) let me turn from knowledge to authority, which has always more weight in this House. I shall now speak to the real minister. From his speech it is obvious what is intended. An army is to do the business; since that is the case he should rest satisfied without further enquiry: but just to beg leave to know if there was one gentleman of the military profession in the House, (and, blind as he was, he could discern several red coats) who would rise and tell the House, that from his conscience he was satisfied the estimate on the table, and the arrangements in consequence of it, would answer the ends proposed.

Mr. *Powys*, in reply to Mr. Jenkinson, said also, that now Mr. *Powys* he found it was war that was intended.

[An altercation arose, whether the board of trade had not neglected to apply to governor Tryon, when in England, for information on American affairs. It was said by a member, [Sir John Wrottesley] that the New York petition, presented last session, was written in England. It was warmly contradicted by another member [Mr. Burke] who offered to bring three evidences to disprove the assertion, and challenged the honourable gentleman to bring his informer]

The question was put at near eleven o'clock, on the first of these resolutions, and the committee divided,---Ayes 227, Noes, 73. Adjourned to the 10th.

November 10, private business. Adjourned to the 13th.

November 13.

The House in a committee of supply.

Lord *North*, after briefly stating some of the public accounts, spoke of the necessity of quelling the disturbances in America, remarked on the expence of this measure, and then on the propriety and expediency of applying to the landed gentlemen, for their support, at a time, he said, when the other resources of the state were incompetent to the purpose.

pose. He therefore moved that the land-tax for 1776 be *four* shillings in the pound.

Sir Joseph
Mawbey.

Sir Joseph Mawbey said the American war was unnecessary and wanton; and it was difficult to determine whether it was most founded in folly or injustice.

Mr. Johnstone.

Mr. J. Johnstone said, that however unacquainted he might be with parliamentary proceedings, he had observed since the commencement of the present session, it was expected by the friends of administration, that no proposition of theirs, however wild, extravagant, or novel, should be questioned. This to him was a most extraordinary procedure, nor could he see to what end Parliament assembled, if they only assembled to vote, not to deliberate. He hoped, however, for the sake of appearances, that the minister would stand forth, when he came to demand the public money, and tell the House to what purposes he really meant to apply it.

Sir George
Yonge.

Sir George Yonge moved an amendment, that it should be *three* shillings instead of *four*.

Lord Mayor.

The Lord Mayor [Mr. Sawbridge] said, though the land-tax was a tax the easiest collected, and gave the minister the least influence in its mode of collection; yet no consideration of convenience could balance, what he felt on the present occasion, when not only the treasure and blood, but the honour of the nation were sacrificed, to the traitorous and despotic designs of a junto, carried into execution by the most unprincipled prostitute tools that ever disgraced this country.

Mr. Viner.

Mr. Viner said, he had hitherto supported the measures of the minister respecting America, though he condemned the introducing foreigners into any part of the dominions of Great Britain, without the previous consent of Parliament. Standing thus affected, when the motion for the re-commitment of the address was made, as he approved of the great line sketched out in the speech, he found himself under a necessity of voting for that measure. The vote, however, he gave on that occasion, was a conditional one; it was on the supposition that a bill of indemnity was to be brought in and passed, in order to legalize that unconstitutional manner of introducing those troops. In a few days after, a bill of indemnity was brought in, and read a first time, and ordered to be read a second time; but a fortnight has since passed, and he never heard a syllable more concerning it. His reason for rising on the present occasion was, to assure the minister of his support, and cheerfully to agree to the proposed resolution, provided his Lordship kept his word with his best friends. He begged his Lordship to tell him whether

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the indemnity bill was in being, or whether it had been starved or stifled, or had its throat cut in the cradle, which in his opinion, would be cruel, as he had understood since it came to be first mentioned, that he was pleased to own it for one of his own children.

Lord *North* replied, that the child he seemed to be so solicitous about, was safe from all the accidents he affected to dread so much; and to drop the simile, he would move tomorrow to have the bill read a second time. Lord North.

Sir *William Wake* observed, the minister comes with a bill in one hand, and tells you very seriously, that he has framed it, he has presented it, but when it is past, it will signify no more than so much waste paper; for it is granting a pardon for no crime; and indemnifying a man against his inclination and his judgment. Sir William Wake.

Lord *North* said he never sought to shield his public conduct by an act of Parliament; and the more so on the present occasion, because he entirely relied on the purity of his intentions. Other gentlemen, however, happened to be of contrary sentiments, to whose opinions he wished to pay every reasonable degree of respect and attention. It was to meet the ideas of those gentlemen he took upon him to frame and support such a bill; it was to give them perfect content; that he was resolved to do all in his power to carry their ideas into execution. Lord North.

Mr. *Byng* congratulated the country gentlemen on the additional shilling land-tax, as the first happy fruits of American measures. Mr. Byng.

Mr. *Hartley* said, That it required but little foresight last year, to prophesy as he had done, that if the ruinous system of American measures continued, our land-tax must be raised to four shillings. He wished that his present fears might prove in the event less well-founded, but that he saw no probability of the land-tax being ever reduced below four shillings. Instead of the promised revenue from America, we shall find a perpetual mortgage on our land, to pay for unjust and ill-executed measures. It requires but a very slight accumulation of debt, a very trifling loss upon the revenue, to make a three shilling land-tax with the sinking-fund insufficient for the ordinary peace establishment. The land-tax at three shillings added to the annual malt-tax, produce nett about 1,900,000*l*. The sinking-fund, upon an average of seven years, about 2,500,000*l*. The profit upon an annual lottery 150,000*l*; altogether making about 4,550,000*l*. The annual rate of expences from 1768 to 1774, upon Mr. Hartley

upon an average, including the annual increase of the navy debt, has been about 4,150,000*l*. As soon as the difference between our annual income and our annual expences, which is but about 400,000*l*, is lost by falling off of the revenue, or swallowed up to pay the interest of the enormous debts which are now contracting, it follows unquestionably, that we must require the additional shilling upon land, to support even the peace establishments, which we have hitherto mentioned. As a foretaste of the losses to be expected in the revenue, one branch is gone; the revenue on tobacco. The produce of that is nearly 300,000*l*, besides all the profit of the trade and commission. This cuts deep into the 400,000*l*. surplus just now stated. How many times 300,000*l* may be cut off from the revenue, when the fatal influence of these measures come to be felt, in every branch, and throughout the whole circuit of our commerce, should be matter of the most alarming apprehension. In the next place for the debts that we are so blindly contracting, they will probably be kept out of the public sight as long as possible, but they must come out at last. The navy debt immense. The transport service perhaps greater than at any period in the late war. And for the army extraordinaries, if we are to maintain an immense army, at the distance of 3000 miles, to be supported with every necessary and contingency from hence, who can say what proportion they may bear to any case hitherto experienced? The case itself is certainly without example. However vague the premises are, yet we may be sure that these expences must be enormous: There is no specifying, who can give us assurance, that the total of the navy debt, the transport service, the army extraordinaries, the exchequer bills, the civil list debt, all deficiencies, &c. &c. not only now existing, but what shall be added in the course of the year for which we are now providing, shall be so little as five or six millions, perhaps more. Over and above all these losses upon the revenue, all debts contracted, and to be contracted, which must be supplied with the perpetuity of the four shillings upon land. Another annual charge has been announced by the noble Lord at the treasury, viz. a proposed augmentation of the civil list. If any weight were wanting to turn the scale, and to put the perpetuity of the four shillings past hope, this must decide. Why are ministers so obstinately bent to plunge this nation into inextricable perplexities and boundless expence. Even upon the ground of the interested views of administration, if the considerations of humanity and justice have lost all influence with them,

let

let them chuse deliberately, whether they prefer the waste and ruin of the public revenue to procure the destruction of their fellow subjects; or, whether they will cultivate the good-will of the people of England, by providing those proper resources, by which, without oppressive burdens or the prospect of bankruptcy, they might be enabled, upon suitable occasions to be ready to testify their affections to a gracious Sovereign. The continuance of the American war, and its consequences, (perhaps European wars) must defeat the possibility of any perpetual augmentation of the civil list. Independent of the consideration of grants to the civil list, being suspected as affording the means of corruption, who could hesitate at the option, whether to grant his money for the destruction of his fellow subjects in America, or to support his Sovereign in dignity and splendour? It is in the discretion of ministers, to harmonize the interests of the crown, with justice and mercy to their fellow subjects.

Mr. *Baldwin* said, he had always understood, the dispute *Mr. Baldwin* with America, was for a revenue to be raised there to relieve the country gentlemen; but having since heard, that the idea of taxation was given up, that the object was abandoned, he thought, if so, it was improper to expend any more money in the contest, and therefore he should, in that case, be against the noble Lord's motion.

Lord *North* said, he was sure the honorable gentleman, *Lord North*. [Mr. Hartley] who supposed the sinking-fund would in the course of the year 1776, be anticipated 700,000l, was egregiously mistaken, according to the present estimates, and it was impossible to provide against every exigency, or to foresee or prevent accidents. He said, the honourable gentleman had pointed out how much more meritorious it would be to pay his Majesty's debts, than squander away the national treasure in acts of such a nature as would make the most obdurate feel and tremble. He suspected the honourable gentleman was as ignorant of the true disposition of the gracious Prince, who for so long a time has filled the throne of these kingdoms, as he was of the nature of the dispute, which he called a wanton effusion of blood. I will tell him then, continued his Lordship, that his Majesty, like the true father of his people, more zealous and anxious for their interests, their reputation, and their honour, than his own, has foregone every private consideration; he has kept back his own wants, in order to make room for those of his country. Instead, therefore, of speaking about his own af-

fairs, instead of reminding Parliament of his very urgent necessities, he has only desired it to take care of the general interests of his subjects, and their own honour; carefully avoiding so much as to hint at his own wants till the great national objects shall be first adjusted. The hon. gentleman seems to affirm, with great confidence, that the Virginians are determined to turn their tobacco plantations into corn grounds. I beg leave to differ from the hon. gentleman, and that from authority on which I can depend. They are not so infatuated to forego the very singular advantages they enjoy from this very beneficial trade. He says, the mother-country reaps much the larger part of the gross proceeds. In this, he is equally mistaken; for, from the best intelligence I have been able to gain, I find, that the profits are divided in the proportion of seven to America, and three to England. He likewise exaggerates the duties upon tobacco, much beyond their true estimate; for, by the latest return come to my hands, I perceive, that the duty in *England* amounts to 240,000*l. per ann.* and in Scotland, to 20,000*l. per ann.* Another honourable gentleman [Mr. Baldwin] is afraid the idea of taxing America is given up. It is true taxation was the original question with America, but now the dispute is much higher. Still he had not a doubt but some mode would be adopted by which a contribution would be obtained from America and brought into the public treasury here. When his Majesty's ministers said, that the idea of taxation was abandoned, they never intended by that expression more, than that it was abandoned for the present; that is, that taxation was but a matter of secondary consideration, when the supremacy and legislative authority of this country was at stake. When, therefore, his Majesty's ministers spoke in the general terms above alluded to, I would have my honourable friend perfectly understand, that taxation is not nor ever was *out of their view*. It is necessary that taxation should be insisted on, and enforced; because to ensure your legislative authority and commercial advantages, it will be actually necessary you should combine it with a tax, otherwise you will never be able to carry one into effectual execution without still exercising the other, though no kind of advantage should arise from it.

Mr. Bald-
win.

Gov. John-
stone.

Mr. Baldwin said he was satisfied with this explanation.

Governor Johnstone was for Lord North's motion, because having voted the services, there must be money for their support, and the land-tax he thought the best, it was the only

A.1775.

D E B A T E S.

161

only encreased tax that was ever remitted, whereas raising money in any other mode had been found to be a perpetual tax.

Right Honourable *T. Townshend* was for Lord North's motion, for the same reason; that as the army and navy were voted they must not be starved. And observed that the present encrease to four shillings would never be reduced; for the American war would involve the ministry in so many debts the additional shilling would never be taken off. Right Hon.
T. Townshend.

Sir *H. Houghton* spoke for Lord North's motion.

Sir *George Savile* said, he was astonished to hear such ministerial language, for the first time, as had this night fallen from the noble Lord at the head of the treasury; that a vote upon one occasion should bind in every possible instance that might arise. Such a language, he insisted, was unparliamentary. For instance, there were many gentlemen, who at the first blush of a business, might have hastily agreed to measures of coercion, who, when they came to consider the consequences, and weigh the manifest certain inconveniences against the probability of success, might be very ready to retract, and be glad to return to the right path. His general sentiments were well known; he abhorred the idea of robbing the Americans of their liberty; but supposing he had first been of a different way of thinking, when he came to support measures with his purse, when he came to give the only true test of his sentiments, he might probably alter his opinion; and whatever the current language might be of a disinclination to burden their constituents, he believed it was one of the most wholesome and constitutional checks on the representative, that when he bound the represented, he at the same time bound and taxed himself. He said besides, that this method of voting money for services unknown to the House, or at least on which they had no substantial controul, furnished ministers with opportunities of bribery and corruption, which were to the last degree fatal and ruinous in their consequences. Sir *George Savile.*

Lord *North* rose to contradict what he termed a most ridiculous and absurd assertion; the King had his revenue, the several departments had theirs; and though it was impossible in the nature of things, to check them immediately, yet the ensuing session, when the several accounts of the preceding one were made up, any gentleman was at liberty to examine them, to detect errors if there were any, and to call the ministerial officers in their several departments to account, and if Lord *North.*

proved guilty of malversation in office, to bring them to condign punishment.

Mr. Innes.

Mr. Innes said, he was for the four shillings in the pound land-tax, as it did not affect him.

Sir Joseph Mawbey.

Sir Joseph Mawbey, thought what fell from the last honourable gentleman deserved the attention of the House. If he was not affected by the land-tax, he should be glad to know where his qualification was?

The House divided upon the amendment. For it 47, against it 182. The main question was then put, and agreed to.

November 14.

Nothing done (not members sufficient for a ballot, to try a contested election, and therefore obliged to adjourn.)

November 15.

Mr. Frederick Montague.

Mr. Frederick Montagu reported from the committee, who were appointed to take into consideration the standing orders of this House, relating to private bills, which were made in the last session of the last Parliament, and to report the same, with their opinion thereupon, to the House; that the committee had considered the same accordingly, and had come to several resolutions, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the table, where the same was read; and the resolutions of the committee are as followeth; viz.

Resolved, That it is the opinion of this committee, that the standing order of the House, of the 25th day of April, 1774, "That, after this session of Parliament, before any petition is presented to this House, for inclosing, draining, or improving, any lands, fens, or commons, a printed or written notice of such intended application to Parliament be affixed on the church-door of the parish or parishes, in which such lands, fens, and commons, do lie, for three Sundays in the months of August and September, or either of them, immediately preceding the session of Parliament in which such petition is to be presented," be adhered to.

Resolved, That it is the opinion of this committee, that the standing order of the House, of the said 25th day of April, 1774, "That, after this session of Parliament, in all bills for inclosing lands or commons, the names of the commissioners proposed to be appointed, and the compensations intended for the lord of the manor and the owners of tithes, in lieu of their respective rights, where any bargains or agreements have been made for such compensations, be inserted in the

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copy of the bill presented to the House ; and that all copies of such bills, whether printed or written, which shall be sent to any of the persons interested in the said manor, tithes, lands, or commons, for their consent, do contain the names of such proposed commissioners, and also such intended compensation," be adhered to.

Resolved, That it is the opinion of this committee, that the standing order of the House of the said 25th day of April, 1774, " That, after this session of Parliament, before any petition is presented to the House, for making a turnpike road, or for the renewal or alteration of any act of Parliament passed for that purpose, notice of such intended application to Parliament be given, at the general quarter sessions of the peace, which shall be held for every and each county or district, through which such road passes, or is intended to pass, at the Michaelmas immediately preceding the session of Parliament in which such petition is to be presented," be adhered to.

Resolved, That it is the opinion of this committee, that the standing order of the House, of the said 25th day of April, 1774, " That this notice be given, by affixing to the door of the sessions house, where such general quarter sessions are held, a printed or written paper, describing the parishes through which the said road passes, or is intended to pass ; and that such notice be also printed in some one news-paper of the county, or, if there is no such paper printed for that county, then in the news-paper of some near or adjoining county, three times at least, in the months of August and September, or either of them, immediately preceding the session of Parliament in which such petition is to be presented," be adhered to.

Resolved, That it is the opinion of this committee, that the standing order of the House, of the said 25th day of April 1774, " That after this session of Parliament, when any petition is presented to this House, for making a navigable canal, or for making or improving the navigation of a river, or for altering any act of Parliament passed for either of those purposes, there be presented with such petition, a plan describing the line of such intended canal or navigation, and the lands through which the same is to be carried ; and that previous application be made to the owners and occupiers of such lands, for their assent to the proposed canal or navigation ; and that separate lists of the names of such owners and occupiers be presented also with the said petition, distinguishing which of them, on such application, have assented to, or dissented from,

from, the said proposed canal or navigation, or are neuter in respect thereto," be adhered to.

Resolved, That it is the opinion of this committee, That the standing order of the House of the said 25th day of April 1774, "That after this session of Parliament, when any petition is presented to this House, for making a navigable canal, or for making or improving the navigation of a river, or for making a new turnpike road, or for raising any further sum of money for any of those purposes, there be annexed to the said petition an estimate of the proposed expence of such undertaking, signed by the person or persons making the same, together with an account of the money subscribed for carrying the said work into execution, and the names of the subscribers, with the sums respectively subscribed by them," be adhered to.

Resolved, That it is the opinion of this committee, That the standing order of the House, of the said 25th day of April, "That after this session of Parliament, in all bills for making a navigable canal, or for making or improving the navigation of a river, or for making a new turnpike-road, there be inserted a clause, compelling the subscribers for carrying any such work into execution to make payment of the sums severally subscribed by them," be adhered to.

Resolved, That it is the opinion of this committee, That the standing order of the House of the said 25th day of April, "That after this session of Parliament, when any petition for a canal, navigation, or turnpike-road, or for renewing or altering any act of Parliament passed for any of those purposes, or for inclosing, draining, or improving, any lands, fens, or commons, hath been presented to this House, the committee to whom the said petition shall be referred, or, in case such petition shall not be referred to a committee, then the committee to whom the bill for those purposes shall be committed, do examine, in the first place, how far the orders contained in the six resolutions first reported from the committee, as agreed to by this House, have been complied with; and the chairman of such committee shall report the evidence, upon such examination, to the House, on the report of such petition or bill," be repealed.

Resolved, That it is the opinion of this committee, That after this session of Parliament, when any petition for a canal, navigation, or turnpike-road, or for renewing or altering any act of Parliament passed for any of those purposes, or for inclosing, draining, or improving any lands, fens, or commons, hath

hath been presented to this House, the committee to whom the said petition shall be referred, or in case such petition shall not be referred to a committee, then the committee to whom the bill for those purposes shall be committed, do examine, in the first place, how far the orders contained in the six resolutions first reported from the committee, as agreed to by this House, have been complied with; and the chairman of such committee shall report the same to the House, on the report of such petition or bill.

Resolved, That it is the opinion of this committee, That the standing order of the House of the said 25th day of April, “That, after this session of Parliament, in all bills for inclosures, there be inserted a clause, compelling the commissioners to account for all monies by them laid out and assessed on the parties concerned in the said inclosures,” be adhered to.

The bill to indemnify such persons as have advised his Majesty to send to the garrisons of Gibraltar and Port Mahon a part of the electoral troops of Hanover, during the recess of Parliament, was read a second time, and committed.

The House in committee on the bill for empowering his Majesty to assemble the militia in cases of rebellion in any of the dominions of the crown of Great-Britain: a motion was made to amend the preamble with these words, “that the said power should not extend beyond the continuance of the present rebellion.”

The Lord Mayor [Mr. *Sawbridge*] contended that this bill *Mr. Sawbridge.* would throw an additional weight into the hands of the crown, already become too powerful, which might and probably would be productive of very dangerous consequences.

Lord *John Cavendish* said, if the friends of administration *Lord John Cavendish.* opposed the amendment, it would convince him that his suspicions were well-founded, which were, that the present bill no more than a mere colourable pretext for arming the crown with power hitherto unknown to the constitution.

Sir *George Savile* said the very point meant to be covertly *Sir George Savile.* carried by this bill, was what no king of England, even the most despotic, was ever able to gain; that on this was grounded the leading contest between Charles I. and his Parliament, long before that assembly was charged with any views of faction, or of overthrowing the constitution. Hitherto, he said, no man in this country could be armed without the consent of Parliament; the army were armed by Parliament; so were the militia: but if this bill should pass, the military would be, or at least might be, armed by the King, without the consent

sent of Parliament. Many things might be urged on the ground that the militia were the great constitutional force of the kingdom ; that nothing of course can be feared from them, for they will act in a double capacity, of defenders of their country and its constitution. The argument is plausible, and therefore the better calculated to deceive ; but he begged leave to draw a very different conclusion. There were always two parties in this country ; no matter as to their principles : the Prince would have it in his power, by this bill, to put the militia into the hands and under the command of which of those he thought fit, and to call them out into actual service when he pleased ; for as to the condition of a rebellion being within the dominions of the crown of Great Britain, he looked upon that as nothing ; as means might be easily devised to furnish a pretence sufficient to justify the embodying the militia. What then may be the consequence, but that an ambitious or weak prince, supported or urged by a revengeful persecuting faction, may create a civil war in some distant part of the empire, in order at length to give them an opportunity of exterminating or triumphing over their adversaries at home, and destroying the liberties of their country.

Mr. Herbert. Mr. *Herbert* said, the liberties of no free country could be preserved, on the supposition that the people were in a state like that described by the honourable gentleman ; that the Parliament must pay the militia, consequently the ministry would be cautious to assemble them without a just cause ; and while the present constitution continued, it would be absurd to guard against Parliament, in whom we must continue to repose a confidence.

Mr. Serj. Adair. Mr. Serjeant *Adair* entered into several legal definitions of treason and rebellion. He adverted to a law passed in the reign of Edward I. in order to shew the true ancient ground on which the militia of this kingdom rested, and so traced the subject down to the present times. He insisted that if the friends of the bill meant what they asserted, they would be amply content to have a temporary one. That when they said the bill meant no more than it expressed, why did they not define and specify the sort of rebellion, the extent of it, and its locality ? No ; any thing the governing powers thought proper to call Rebellion, would soon be deemed so. He instanced the various cases, or acts of violence, which in law are deemed levying war, such as levelling enclosures, pulling down meeting-houses, bawdy-houses, &c. He mentioned particularly the cases of the Oxford rioters, and the pulling down
bawdy-

bawdy-houses in the reign of Charles II, and the pulling down Burges's meeting-house, in the reign of Queen Ann, when some persons were tried and condemned for high-treason, for being concerned in that riot. He observed finally, that the British empire extends to the four quarters of the globe; that if any illegal or riotous act, of the nature now alluded to, should happen, no matter whether at Patna, Senegambia, or Boston, the minister might construe it into rebellion, and call out the militia.

Sir *Grey Cooper* contended, that the minister could not call out the militia, without assigning his reasons for so doing, and submitting them to Parliament for their approbation, whenever they met, if not sitting at the time. Sir Grey Cooper.

The right honourable *T. Townshend* did not much approve of the bill, but would give his assent to its passing, because if it should not pass, Germans would certainly be brought over; yet he hoped the bill would be properly limited. He never knew or read of a standing army which did not originate in a militia. Several free governments had been overturned by a militia; particularly one near home. It was well known that Louis XI. of France overturned, and completely destroyed the liberties of his country by a militia. Rt. Hon. T. Townshend.

Mr. *Cator* against the amendment; he did not know whom people could trust, if they dare not trust themselves. Mr. Cator.

Mr. *Dempster* for the bill; observed that the right honourable gentleman [Mr. Townshend] who said that all the free governments of Europe had been destroyed by a militia, was mistaken, for history would furnish many more instances in which they had been overthrown by standing armies; and he hoped that a militia would be established in the north part, as well as the south part of the island, for the defence of the nation in general. Mr. Dempster.

The right honourable *T. Townshend* objected to the smallness of the qualifications of officers who were to serve, and said they ought to be raised. Rt. Hon. T. Townshend.

Lord *North*, after paying great encomiums on this constitutional mode of defence, replied to the last objection, by observing, that qualifications were higher in the militia, than for the members to sit in that house to make laws. Lord North.

Governor *Johnstone* insisted that the old act, as it now stood, wanted no amendment, unless in case of rebellion being in Ireland; for the King, in case of rebellion or invasion in this kingdom, is already empowered to call the militia out in fourteen days. Governor Johnstone.

Sir George
Yonge.

Sir George Yonge, for the amendment; that the House had always a right to be jealous and suspicious, when no reason was offered to be assigned.

Lord North.

Lord North said, he saw no occasion, if the law was a good law, it ought not to be restrained to the continuance of the present disturbances in America. The question being put on the amendment, the committee divided: Ayes 55; Noes 140.

Mr. Adair.

Mr. Adair proposed another amendment, "that the militia should not be called out of their respective counties, unless in case of actual invasion." It passed in the negative.

Mr. Hartley.

Mr. Hartley offered a clause "to empower the King to call the Parliament together in fourteen days." It was agreed to without a division.

The House then went into a committee to consider of the petition from Nova Scotia, when they came to the following resolution, which was moved by lord North:

That the propositions contained in the address, petition, and memorial of the council and house of assembly of the province of Nova Scotia, of granting to his Majesty in perpetuity, a duty of poundage *ad valorem*, upon all commodities imported into the said province, not being the produce of the British dominions in Europe and America (bay salt excepted); the said duty to be under the disposition of Parliament; is fit to be accepted; and that the amount of said duty shall be eight pounds *per cent.* upon all such commodities.

Indemnity bill read a second time, and committed; upon which there was no debate.

November 16.

A petition of the gentlemen, clergy, clothiers, manufacturers, and others, inhabitants of the several towns of Westbury, Warminster, and Trowbridge, and the neighbourhood thereof, in the county of Wilts, whose names are thereunder written, was presented to the House, and read; setting forth, That the petitioners are greatly alarmed and surprized, at finding certain persons, styling themselves the gentlemen, clergy, clothiers, and other tradesmen, of the towns and neighbourhood of Bradford, Trowbridge, and Melksham, in the county of Wilts, approach the Throne of our most gracious Sovereign, and, under the pretence of testifying their loyalty and affection to his Majesty, boldly assert, in regard to the American prohibition of all commerce with his Majesty's European dominions, "that they the petitioners find no melancholy effects arising therefrom, or any unusual failure of demand for their manufactures, or of employment for their poor;" and, at this important and alarming crisis,

when

when so much depends on the deliberations and resolutions of Parliament, not less than the lives, liberties, and properties of thousands of their fellow subjects, the petitioners, apprehending that the like misrepresentations may be conveyed to the House, should hold themselves unjust to their own dearest interests, and that of their posterity, if they did not publicly express their entire disapprobation of that malignant and uncandid spirit which can carry falsehood to the throne; for the petitioners assure the House, that the trade of that part of the kingdom has most sensibly declined ever since the commencement of the present unfortunate and unnatural contest with America; and that employment for the poor has proportionably decreased in like manner, insomuch that it appears, by authentic and undeniable evidence, that the poor rates of the said towns have, during the last ten years, grown to an enormous degree, and are now become an almost insupportable burthen to the inhabitants thereof; and that the petitioners do not presume to arraign the wisdom or justice of Parliament, in the measures which have hitherto been adopted and pursued towards America, but, as intercessors on behalf of their afflicted brethren in the colonies, and in extenuation of the criminality with which they have been charged, they beg leave to offer, that their resistance to the right of taxation in the British parliament (from the claim to which, the present unhappy differences have originated) has not, as they conceive, proceeded from an impatience of subordination to that high constitutional supremacy necessarily vested in the mother-country, but in support of an usage, which an uniform and uninterrupted enjoyment of more than 150 years had given them reason to believe themselves entitled unto, and which Great Britain herself had frequently called upon them to exercise in their own provincial assemblies; and the petitioners therefore, considering that the vital principle of trade is peace and confidence, not war and distraction; and compassionating the tumultuous and irregular exertion of that rude yet manly spirit, whose features plainly mark its origin of British ancestry, and which, though misguided in them, was, through our common ancestors, productive of those blessings which make the peculiar boast of our happy constitution, and to which we owe the distinguished happiness that the present august family are at this day on the throne of these kingdoms; and deprecating also the horrors of a civil war, the event of which, being in the hands of the Almighty, may terminate in the dismemberment of our empire, or in a barren and ruinous conquest; and therefore praying the

House, to take the premises into their consideration, and, for the sake of peace, for the sake of trade and commerce, and for the general safety, concord, and prosperity, of the whole empire, for the sake of our holy religion, and the glory of Almighty God, who dwells in peace, to adopt such lenient measures as may restore to this great kingdom and her colonies that affectionate intercourse with each other, which alone can prevent the manifold evils with which they are now threatened, and establish the national greatness on the broad foundation of equal rule, and the general happiness of a free, loyal, and united people. Ordered to lie upon the table.

Mr. *Burke*. Mr. *Burke*, who presented this petition, said, that the signers were all men who manufactured for themselves; and he was authorized to say that they possessed more than 500,000*l.* of English property.

He wished the prayer of that petition to be considered as the exordium of what he had to say to the House. He complained of the difficulties which in civil wars lay upon moderate men, who advised lenient measures; that their moderation was attributed to a want of zeal, and their fears for the public safety, to a want of spirit; that on this particular occasion whatever they said to incline the House to lenity, was construed into a countenance of rebellion; and so many arts, and so many menaces had been used, that if they had not been opposed with a good share of firmness by the friends to the peace of their country, all freedom of debate, and indeed all public deliberation, would have been put an end to.

He said, that for his part he was no way intimidated by all these machinations from doing his duty; and that nothing that could be threatened by those whose measures had brought this country into so deplorable a situation, should hinder him from using his best endeavours to deliver it from its distresses.

The first step for this purpose, was to get out of general discourses, and vague sentiments, which he said had been one of the main causes of our present troubles; and to appreciate the value of the several plans that were, or might be proposed, by an exact detail of particulars.

He stated, that there were three plans afloat. First, simple war, in order to a perfect conquest. Second, a mixture of war and treaty. And thirdly, peace grounded on concession.

As to the first plan, that of mere war, he observed, that it was proposed in two ways; the one *direct* by conquest, the other *indirect* by distress. In either of these ways he thought it his duty before he voted for a war, to know distinctly

tinently that the means of carrying it on were adequate to the end. It did not satisfy his conscience to say, that the resources of this nation were great; he must see them. That before he could trust to those resources, on the credit of what had been formerly done, he must find the situation of the country to be what it formerly was.

He then examined what the ministers had laid before the House as the means of carrying on the ensuing campaign. That as to the forces which they had made the House expect from his Majesty's allies, all discourse of them had, for some time, entirely subsided: he could, therefore, take credit for nothing more on that account, than a handful of Hanoverians, which only answered the purpose of an imperfect security to some of our foreign garrisons. That our national forces to be employed in America, by the account on the table, amounted to no more than 26,000 men. In this, credit was taken for the army now in America at full numbers. He could not allow that estimate; as supposing that if the reduction of the troops in future was to be estimated by the past, they must be reduced to little or nothing, by the beginning of next campaign. That the troops here are only upon paper, and the difficulty of recruiting was acknowledged. On the whole, he saw reason to apprehend that we should not be very materially stronger at the beginning of the next year, than we were at the beginning of the last. He said, the probable number of troops, whether national or foreign, weighed very little in his judgment; as he thought the circumstances of the country were such, as would disable them from effecting any thing like a conquest of it.

That as to the *predatory*, or war by distress (on the nature of which he greatly enlarged) he observed, that it might irritate a people in the highest degree; but such a war had never yet induced any one people to receive the government of another. That it was a kind of war adapted to distress an independent people, and not to coerce disobedient subjects.

But his great objection to it was, that it did not lead to a speedy decision. The longer our distractions continued, the greater chance there was for the interference of the Bourbon powers, which in a long protracted war, he considered not only as probable, but in a manner certain. That he was very sure this country was utterly incapable of carrying on a war with America and these powers acting in conjunction. He entered into a long and particular enumeration

tion of all the dangers and difficulties which must attend such a war.

He stated the condition of France at the beginning of this century, and even within a few years; and compared it with her present situation. He observed, that from being the *first*, she was, with regard to effective military power, only the *fifth* state in Europe. That she was fallen below her former rank, solely from the advantages we had obtained over her; and that if *she* could humble *us*, she would certainly recover her situation. There was now an opportunity for her making herself, with very little hazard or difficulty, the first maritime power in the world; and to invest herself with every branch of trade, necessary to secure her in that pre-eminence. He admitted, that at present there were circumstances (which he mentioned) that *might* prevent her from availing herself of this opportunity. But, he said, we must be mad to trust such an interest as ours to such a chance; and that they who presumptuously trust to the *extraordinary* Providence of God, by acting without prudence or foresight, deserve to be abandoned by his *ordinary* protection.

He then observed that, as he saw no probability of success in the *detail* of any of the arrangements that were proposed, neither did he see any thing of *authority* to induce him to believe that they would succeed; not one military or naval officer having given an opinion in its favour; and many of the greatest in both services, having given their opinion directly against it.

That as no man of *military experience* had vouched for the *sufficiency* of the force, so no man in the *commissariat* would answer for its *subsistence* from the moment it left the sea coast; that therefore its subsistence and its operation were become incompatible.

To the objection, that at this rate the Americans might always bring us to unreasonable terms, by the supposed impossibility of reducing them by force, he said that he could not help the difficulties which arose from nature and the constitution of things; that he could not make America nearer to us than it is; or a country of another nature than what God has made it. That people who cannot contrive to reconcile their quarrels, must suffer the evils that happen to a divided nation. That he was of opinion, there was no dishonour at all in any kind of amicable adjustment of domestic quarrels; and he would rather yeild an hundred points; when it was Englishmen that gave and received, than
a single

a single point to a foreign nation; and we were in such circumstances that we must yield to either one or the other.

After an examination of the merits of the first plan, that of reducing the colonies to obedience by *simple war, in order to a perfect conquest*, he entered into a discussion of the second, viz. *That of the mixture of war and treaty*.

Among the great and manifest diversity of sentiments which prevailed on the treasury-bench, he thought he could discern that this plan had been the most generally adopted by ministers, or by those who acted as such. That no light, however, had been let in upon the *particulars* of the scheme, except in the speech from the throne. It was indeed very little, and that little very fallacious. One would be inclined to think from that speech, that nothing had retarded the restoration of peace, but a doubt, whether those in arms might, upon laying them down, obtain a speedy pardon. However, the fact was, no pardon had been ever applied for. If nothing had been wanting to conclude the peace but such a power, the commander in chief might be authorised to hold out mercy to all those who should submit; and then there would be no need of the laborious, expensive, uncertain, and dilatory process of a commission.

It was impossible to pass by the very exceptionable manner in which this power of pardoning was to be delegated: "they shall have authority (says the speech from the throne) to grant general or *particular* pardons or indemnities, in *such manner*, and to *such persons*, as they shall think fit." A shocking, arbitrary power, not to be trusted to any persons, as giving encouragement to *dangerous partialities*, and tending rather to distract than to quiet the country. That the rule of pardon, when delegated to subjects, ought not to be their *pleasure* or *displeasure*, but the compliance or non-compliance of the guilty, with certain *fixed conditions*. That some such discretionary power as that mentioned in the speech, seems to be given already, and to have produced the mischiefs which might be expected from it. For that general Gage had already, whether by himself, or by order from ministers, made a very indiscreet use of it, by offering mercy to those who were openly in arms, and actually besieging him in his station, and excluding from mercy those who were five hundred miles from him,* and then sitting

* Messrs. Hancock and Adams, who were excepted in the general pardon offered by general Gage on submission, whilst Ward, Putnam, &c. besieging him, were not excepted.

ting in an assembly never declared by authority to be illegal ; an assembly, from which the ministers in the House of Commons had at one time declared they were not without hopes of proposals, which might lead to accommodation. On this part of the speech from the throne he animadverted with great severity.

He said he understood, that instead of the Americans waiting for pardons, they were to be persuaded by negotiation to accept them. Therefore it would be necessary to examine what *body* of men it was that administration proposed to negotiate with, and what the *objects* of the negotiation were to be.

That if he did not mistake the discourses of ministers, they did not now propose to negotiate with the present, or with any other *General Congress* or meeting, but with the *several assemblies* distinctly. In this scheme, he said, they knew that they could not succeed. Because there was one principal province, that of Massachusetts's bay, whose assembly, under their charter, was destroyed by act of Parliament. That no assembly would sit in that province under the new constitution ; because if it should, the inhabitants must, as a preliminary, yield the principal object for which they had taken up arms ; and thus turn the negotiation against themselves, even before it should be opened. That this province was the actual seat of war, as its sufferings had been the cause of the war itself. Treaty must therefore stumble upon the threshold.

That besides this objection, (which was fundamental) a negotiation with so many provinces, of such different constitutions, tempers, and opinions, never could come to an end. In the mean time our hostile operations with their whole train of disasters, accidents, and ruinous expences, would be continued, to the destruction of this country and of that. That the hope of *dividing* the colonies, on which this part of the plan was founded, and which was even avowed as a reason for adopting it, would be the most unfortunate thing that could happen ; as it would protract the war, and complicate its horrors and miseries, without a possibility of ending it. It was, he said, a vain imagination, that any of the colonies would take up arms in favour of ministry, for the execution of any of their plans ; and that a *part* of the colonies was sufficient, at least to keep this war alive, until the interference of foreign powers should render it utterly destructive.

That with regard to the *objects* of the treaty,—they must be concessions on the side of the colonies ; or upon ours ; or upon

upon both. That upon their side they must be either *speculative* recognitions of rights upon *as large a scale as we had claimed them*; and this it was absolutely certain they never would submit to; or upon *a lesser, excluding taxation*, and its *consequences*, and this they had submitted to already; so that there seemed to be no object of the speculative kind, which made it necessary to postpone peace by a protracted negotiation.

That the other object of treaty might be a *practical* recognition of our right of taxing for a revenue; that this revenue was to be either nominal or beneficial; if only *nominal*, it amounted to nothing more than that speculative acknowledgment of right, which we knew they would for ever refuse to make. If *beneficial* and productive, it was to be either by submitting to lord North's proposition, namely, that of forcing them to furnish a *contingent* by authority of Parliament; or according to their ancient mode, by a *voluntary grant* of their own assemblies.

If the former, we know, said he, they have already rejected that proposition; and never can submit to it, without abandoning that point, for the maintenance of which they have risked their all. If it only requires, that they should resort to their ancient mode of granting by their assemblies, they have declared again and again, from the beginning of this contest to the end, that they were willing to contribute according to their ability, *as estimated by themselves*, who were the best judges of what their ability was. That ability would be lessened, if not totally be destroyed, by the continuance of those troubles. This armed negotiation for taxes would therefore inevitably defeat its own purposes; and prevent for ever the possibility of raising any revenue, either by our authority, or by that of their own assemblies.

That if the ministers treated for a revenue, or for any other purpose, they had but two securities for the performance of the terms: either the same force which compelled these terms; or the honour, sincerity, and good inclination of the people. If they could trust the people to *keep* the terms without force, they might trust them to *make* them without force. If nothing but force could hold them, and that they meant nothing but *independency*, as the speech from the throne asserted, then the House was to consider how a standing army of 26,000 men, and 70 ships of war, could be constantly kept up in America. A people meaning independency, will not mean it the less, because they have, to avoid a present inconvenience, submitted to treaty. That after all our struggles,

our hold on America, is, and must be, her good inclination. If this fails, all fails; and we had better trust to the honesty of the colonies, before we had ruined ourselves, than after; before we had irritated them, than after we had alienated their affections for ever.

That the troops sent for the purpose of *forwarding*, would certainly *impede* the negotiation. That it was impossible the provincials could be mad enough to lay down their arms, whilst a great adverse military power remained in their country, without any assurance whatsoever of their obtaining any one of the points for which they had contended. This would not be to negotiate, but to surrender at discretion. All the grievances they had complained of, were contained in acts of Parliament. Lord North had declared very truly, that nobody could have power to negotiate for the repeal of an act of Parliament.

But if the colonies should incline to put any confidence in the *certain* influence of ministry over Parliament, even that grand confidence must fail them; as they cannot tell whether the same ministers will continue in power; and that even at this very time no two persons upon the treasury-bench were of the same opinion, on the conduct to be held towards America. Which of those opinions would finally prevail, no man living could divine. That this uncertainty might continue the armed negotiation for several years, to the utter ruin of both countries.

He gave many other equally strong reasons against this scheme; and concluded this part of his speech, by observing, that although the mixed plan of war and negotiation could answer no good end in *future*, it might have a *retrospective* operation,—to justify the ministers in the use of their forcible proceedings. For *force* and *concession* going out together, if peace should be the result, ministers would attribute the success, not to the *concession*, but to the *force*. So that all this delay, bloodshed, and expence, was incurred merely to furnish ministers with an excuse in debate.

After going through the two first plans, he spoke to the third (his own) that of a *concession previous to treaty*.

He observed, that as he put no great trust in any negotiation, and none at all in an *armed* negotiation, his idea was, to have very little treaty; and that little as short as possible. The House was therefore at that time to judge, whether it was necessary to make any concession to the colonies: if it should appear to them that such concession was necessary, he was clearly of opinion, that they ought to make it immediately,

diately, and of their own free grace. This he thought of more dignity with regard to themselves, and of much more efficacy with regard to the quiet of the colonies, than the *concession upon treaty* which had been proposed.

He said, that the first ground of treaty must be *confidence*; and that the colonies never could confide for the effect of any concession (as he had shewn in examining the foregoing plan) in a less assurance than that of Parliament itself.

He then shewed, by a variety of instances, collected from the public proceedings during the last ten years, how necessary it was that government should be aided by Parliament in re-establishing that confidence which had been shaken by those proceedings, and that some firm ground should be laid as a foundation for future peace.

He was of opinion, that this foundation of confidence was become the more necessary, from the constitution of the present ministry. That in no time or country, or under any form of government, was the power of ministers suffered to survive the success of their counsels; or the same men permitted to inflame a dependent people to arms, and then to appease them by concessions. That the duke of Alva would be a strange plenipotentiary to have sent, for making the concessions, which king Philip the Second proposed to the Netherlands. In concession, the credit of a state is saved by the disgrace of a minister; because it is his *counsel* alone that is discredited. But when the very same ministers do and undo, in consequence of the resistance they meet, it is the *nation* itself that submits. Besides, he alledged that all treaty is more easy, and fewer concessions are required by all men, when they have a confidence in those they treat with.

He was convinced, that the mere removal of the offensive acts would have given satisfaction in former times, and from amicable hands. But now things are on another footing; and if more concession is required, it is because injudicious coercion has made it necessary. That he had always wished to preserve the legislative power of this kingdom entire in every thing; and that it was with great grief he saw, that even an odious and scarcely ever to be exercised part of it, was to be abandoned. But when the maxims of public councils are not steady, it is necessary that laws should supply the want of prudence. That it was thus, and for this reason, that limits had been set to absolute power in all countries; and that power (though not absolute) had been preserved, not destroyed by such limitations.

That we were now in a *quarrel*; and in putting an end to any quarrel, it is necessary to look to its *origin*; that the origin of this present difference had evidently been upon the subject of *taxation*. That an arrangement of this question, either by enforcement or concession, was a preliminary essential to peace. That the House ought to estimate the full value of the object to be conceded, before they agree to give it up. If they were of opinion, that the taxation of America could repay them their expences, or compensate their risks, they ought to pursue it. If, on the contrary, it was evident beyond all contradiction, and so evident as to force reiterated acknowledgments, that they never could enjoy a moment's quiet as long as that matter of contention continued—it was then altogether as essential to the preservation of their own authority in all other points, as to the liberty of America and the quiet of the whole empire, to give it up, with such limitations in the concession, as the rights of sovereignty required.

That the Parliament of Great Britain were not the *representative*, but (as Lord John Cavendish had said, some days before, with great truth and propriety) the *sovereign* of America. That the sovereignty was not in its nature an idea of abstract unity; but was capable of great complexity and infinite modifications, according to the temper of those who are to be governed, and to the circumstances of things; which being infinitely diversified, government ought to be adapted to them, and to conform itself to the nature of things, and not to endeavour to force them. That although taxation was inherent in the *supreme power* of society, taken as an *aggregate*, it did not follow that it must reside in any *particular* power in that society. That in the society of England, for instance, the King is the sovereign; but the power of the purse is not in his hands; and this does not derogate from his power in those things, in which our constitution has attributed power to him. If Parliament be the sovereign power of America, Parliament may, by its own act, for wise purposes, put the local power of the purse into other hands than its own, without disclaiming its just prerogative in other particulars.

That formerly, whatever their right might be to it, the Kings of England were in the practice of levying taxes by their own authority, upon the people of England; they contended that the crown, being charged with the public defence must be furnished also with the means of providing for it. That it would be absurd to commit a trust into the hands of one person, and to leave the power of executing it to depend upon

upon the will of another. They therefore held, that this power was inseparable from the crown; and in general they made use of the very arguments in favour of the King's indefeasible right to tax the people of England, that are now used by the Parliament of England, to tax the people of America. Notwithstanding all these arguments, one of the greatest of our Kings, by an express and positive act, cut off from the Sovereign power this right of taxing.

This act which has been the foundation of the unity and happiness of England since that time; that is, the stat. 35 Edward I. called *Statutum de tallagio non concedendo*, Mr. Burke made his pattern; and from thence (if his plan should be adopted) he hoped the same good effects in future. That this pattern statute was absolutely *silent about the right*; but confined itself to giving satisfaction in future; and that it laid down no *general principles* which might tend to affect the royal prerogative in *other* particulars. That in all human probability the preservation of the other branches of the prerogative was owing to the clear and absolute surrender of this.

("He then moved that the statute *de tallagio non concedendo* might be read.")

He observed, that this statute consisted of three capital parts; a renunciation of taxing,---a repeal of all statutes which had been made upon a contrary principle,---and a general pardon.---*He then read his own bill*, and shewed its conformity to the spirit of that act, supposing Great-Britain to stand in the place of the Sovereign, and America in that of the subject. That the circumstances are not indeed in every respect *exactly* parallel, but that they are sufficiently so to justify, his following an example that gave satisfaction and security on the subject of *taxes*, and left all *other* rights and powers whatsoever exactly upon the bottom on which they stood before that arrangement had been made.

He then gave his reasons for not adopting the methods, which (though not proposed in the House) had been frequently suggested in conversation by several friends and well wishers of America.

And first he mentioned the proposal for repealing the *declaratory act* of 1766. On this occasion he entered into the history of that act, the reasons for making of it; and the perfect acquiescence of the colonies under it; until by the renewal of the scheme of actual taxation their apprehensions were roused, and they were taught to look with suspicion and terror upon the unlimited powers of British legislature. That
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the repeal of a declaratory act was a thing impossible ; for it was nothing less, than to make legislature accuse itself of uttering propositions that were false, and making claims that were groundless. That the disgrace of an English Parliament could add nothing to the security of American liberty.---That on the contrary our inconstancy would become a bad ground of trust.---That the declaratory act had been misrepresented, as if it had been the cause of the taxation ; whereas the grand scheme of taxation had *preceded* the declaratory act, and not been the *consequence* of it.---That the act has said nothing in *particular* of taxation, but is an affirmation of the *universality* of the legislative power of Great-Britain over the colonies.---That if this act were repealed, it would be a *denial* of legislative power, as *extensive* as the *affirmation* of it in the act so repealed.---That he was averse to doing any thing upon speculations of right. Because when Parliament made a *positive* concession, the bounds of it were clear and precise ; but when they made a concession founded in *theory and abstract principles*, the consequences of those principles were things out of the power of any legislature to limit. That this bill gave as effectual a security against future taxation as any declaration of right could possibly do ; and that it put American liberty in that point upon just as good a footing as English liberty itself.

He next considered the proposition for' repealing all the acts since 1763. This he shewed to be impossible, without ruining the whole system of the trade laws, and some of those laws also, which are extremely beneficial to America. That all the laws which leaned upon the colonies, and were the cause or consequence of our quarrel, were to be repealed in this bill, which made provision likewise for authorising such a negotiation as might tend to the settlement of all those lesser matters to the mutual advantage of the parties. That the congress did not require this sweeping repeal as a preliminary to peace ; but that even if it had, he was for treating of peace with and making concessions to the colonies, and not receiving laws from them. That he did not conceive, that when men come to treat of peace they must of course persevere in demanding every thing which they claimed in the height of the quarrel. That the cause of the quarrel was taxation ; that being removed, the rest would not be difficult. For he denied that the desire of absolute independency was or could be general in the colonies. It was so contrary to their clearest interests, provided their liberties were preserved, that so far
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from disbelieving them, when they denied such a design, he could scarcely credit them if they should assert it. He then stated five or six capital facts, to prove that independency, neither was or could be their object.

He said he was confident, both from the nature of the thing, and from information which did not use to fail him, that this bill would restore immediate peace; and as much obedience as could be expected after so rude a shock had been given to government, and after so long a continuance of public disturbances. That in this bill, a basis was laid for such satisfaction in the minds of all sober people in America, as would enable government to fix and settle, if common prudence were employed in its future construction and management. That in the first operation it would be the *true* means of *dividing* America. Not the dangerous and fallacious method of dividing which had been proposed, and from which nothing but confusion could grow; not the division of province from province, or the rich from the poor; or the landed from the trading interest; but the division of the peaceable from the factious; the quiet from the ambitious; the friends to the unity of the empire, from the projectors of independence. That this would put the standard of American liberty into the hands of the friends to British government; and when this was done, there was no doubt, but that a sense of interest, natural affection, the dread of the horrors of war, and even the love of freedom itself, better secured by such an act, than by any schemes of hazardous speculation, would leave the really factious very few followers or companions.

He then strongly urged the necessity of granting peace to our colonies on terms of freedom; dilated largely on the uncertainty (to say no worse) of obtaining it upon any other; and the utter impossibility of preserving it in future, without setting the minds of the people at rest. He dwelt largely on the mischiefs which we must suffer by the continuance of this quarrel. He rested little on the consideration of trade and revenue; he put that out of the question, as a matter that would require a large discussion by itself; but chiefly aimed at shewing, that in the progress of this business new powers must be daily added to the crown; so that in seeking to destroy the freedom of others we may fail to obtain what we pursue, and in the pursuit may lose our own liberty. On this head he dwelt very largely, and concluded the whole with a warm and earnest address to the consciences of the members, and an exhortation not to trust to general good intention

intention and to an opinion, that what they were doing was for the *support of government*, when it was far from evident, that under the name of government, it was not the ambition, the interest, the ignorance and obstinacy of particular men that they were supporting; that they were bound not to give confidence, where rational grounds of confidence did not appear; and that anarchy instead of government and civil confusion instead of peace and obedience would be the consequence of an encouragement given by that House to a blind perseverance in measures, which were not conceived with wisdom, or conducted with ability.

He moved, “*That leave be given to bring in a bill for composing the present troubles, and for quieting the minds of his Majesty’s subjects in America.*”

The following is a copy of the bill.

WHEREAS, by the blessing of Almighty God, and the industry, enterprize and courage of several of the people of this realm, extensive and valuable territories have been acquired in America to the crown of Great Britain, which are now inhabited by great multitudes of his Majesty’s subjects, who have cultivated and improved the same for the most part at their own charges, to the great encrease of the commerce and naval strength of this kingdom, and have also, of their own free gift, made provision for the support of the civil government within their said plantations, have maintained many expensive wars against the Indian nations, and have at sundry times granted large sums of money, and other very considerable aids to his Majesty, and his royal predecessors, to support them against the enemies of this kingdom, notwithstanding which the inhabitants of the said colonies have been made liable to several taxes given and granted in Parliament, for the purpose of raising a revenue, when they have had no knights or burgeses, or others of their own chusing, to represent them in Parliament; and from the great distance of the said colonies from this land, and other impediments, are not able conveniently to send representatives to the said Parliament, whereby the said inhabitants of the British colonies have conceived themselves to be much aggrieved, and thereby great troubles have arisen, and are likely to continue, if a fitting remedy be not provided. Wherefore, we pray your Majesty that it may be enacted and declared, and it is hereby enacted and declared, by, &c. &c. &c.

That

That no aid, subsidy, tax, duty, loan, benevolence, or any other burthen or imposition whatsoever, shall be granted, laid, assessed, levied, or collected upon the inhabitants of any colony or plantation in America, by the authority, or in virtue of any act of Parliament, or in any other manner, or by any other authority, than the voluntary grant of the general assembly, or general court of each colony or plantation, and which shall be assented to by his Majesty's governor, and otherwise confirmed according to the usage of each province respectively, any law, statute, custom, right, prerogative, or any other matter whatsoever to the contrary notwithstanding. Saving to his Majesty, his heirs, and successors, his right of reserving and collecting quit-rents, and other his antient dues and revenues, and all other duties and taxes by this act not repealed, and saving and reserving to all proprietories and charter-companies, their antient rights, privileges, and possessions.

Provided always, that nothing in this act shall extend, or be construed to extend, to restrain the future imposition, and levy of duties and taxes for the regulation of trade and commerce in all the dominions, to the imperial crown of this realm belonging.

And in order to remove all doubt and uneasiness from the minds of his Majesty's subjects in the colonies, it is hereby further enacted, that if any act of Parliament shall be hereafter made for the purpose of such regulation or trade, the produce of the duties thereby laid, shall be held by the collectors, or receivers of his Majesty's customs, for the disposal of the general assemblies, as if the same had been levied by the authority of the several general assemblies in the said colonies.

And whereas, during these troubles, the assemblies, or inhabitants of the said colonies, have formed a general meeting, which said meeting was not authorised by law to make any order or resolution, or to do any other act of force, to bind his Majesty's subjects. And whereas it may be necessary, that the said colonies should have authority to do certain acts by common consent, which should conclude the whole body of the said colonies. Be it therefore enacted, that it shall and may be lawful for his Majesty, his heirs and successors, to give authority to his governors in America, to require the said several assemblies to send deputies to a general meeting, with full powers to bind their said several provinces, to all acts done by a majority of voices in the said general meeting, which meeting, and the powers thereof, shall cease and deter-

mine on — — — — — if not further continued by Parliament.

And whereas, in consequence of the late troubles several acts of Parliament have been made for the purpose of coercing and restraining the colonies, of which an advantage has been taken to represent the same, as if a design had been formed to deprive the people of the said colonies of several rights, benefits, and advantages of nature, and of the British constitution, which hath greatly encreased the discontents of the colonies, and fomented the troubles in America. In order, therefore, to quiet the minds of his Majesty's subjects in America, and to reclaim the disobedient by that lenity, which ought to have the strongest operation on the minds of free subjects, be it enacted, that an act made in the seventh year of his present Majesty, intituled "An act for granting certain duties in the British colonies and plantations in America, for allowing a drawback of the duties of customs upon the exportation from this kingdom, of coffee and cocoa nuts, of the produce of the said colonies or plantations; for discontinuing the drawbacks, payable on China earthen ware, exported to America; and for more effectually preventing the clandestine running of goods in said colonies and plantations." Also one other act, made in the fourteenth year of the reign of his present Majesty, intituled "An act to discontinue in such manner, and for such time, as are therein mentioned, the landing and discharging, lading or shipping, of goods, wares, and merchandize, at the town, and within the harbour of Boston, in the province of Massachusetts's bay, in North America." Also one other act, made in the fourteenth year of his present Majesty, intituled "An act for the impartial administration of justice in cases of persons questioned for any acts done by them in the execution of the law, or for the suppression of riots and tumults in the province of Massachusetts's Bay, in New England." Also, one other act made in the fourteenth year of the reign of his present Majesty, intituled "An act for the better regulating the government of the province of the Massachusetts's Bay, in New England," be hereby severally and respectively repealed.

And the King's most excellent Majesty taking into his gracious consideration, the great troubles, discords, and wars, that have of late been in some of his Majesty's colonies in America, and that divers of his subjects are, by occasion thereof, and otherwise, fallen into, and be obnoxious to great pains and penalties, out of a hearty and pious desire to put an end to all suits and controversies, that by occasion of the late distractions

in America, have arisen, or may arise, between his subjects; and to the intent, that no crime whatsoever, committed against his Majesty, shall hereafter rise in judgment, or be brought in question, against any of them, to the least endamage-ment of them, either in their lives, liberties, or estates, or to the prejudice of their reputations; and to bury all seeds of future discords and remembrance of the former, as well in his own breast, as in the breasts of his subjects, one towards another; is graciously pleased, that it may be enacted, and be it enacted, &c. &c.

That all and all manner of treasons, misprisions of treasons, murders, felonies, offences, crimes, contempts, and misdemeanors, counselled, commanded, acted or done since the — — — — — by any person or persons in America, before the — — — — — by virtue, or colour of any command, power, authority, commission, warrant or instruction from his Majesty, or from any other person or persons, deriving or pretending to derive authority, mediately or immediately, from his Majesty, or of or from any assembly, council, general court, convention, congress, or meeting, in any of his Majesty's colonies in America, called or reputed, or taking on them the name of the assembly, council, or general court, of any of his Majesty's colonies in America, or of a general congress, or provincial congress; or any other name or style whatsoever, or by virtue or colour of any writ, commission, or instructions of or from any person or persons, reputed, or taken to be, or claiming or exercising the power of commander in chief of the continental army in America, or of any provincial army, or commander of any army, or body of troops whatsoever, within any of his Majesty's colonies in America, by sea or land, or of any magistrate or officer, within any of the said colonies, or by any pretence, warrant, or command whatsoever, from them, or any of them, or their, or any of their respective counsel or counsels, or any member of such counsel or counsels, or from any person or persons whatsoever, deriving, or pretending to derive authority from them, or any of them, be pardoned, released, indemnified, discharged, and put in utter oblivion.

And that all and every the person and persons, acting, advising, assisting, abetting, and counselling the same, they, their heirs, executors, and administrators, be, and are hereby pardoned, released, acquitted, indemnified, and discharged from the same; and of and from all pains of death, and other pains, judgments, indictments, informations, convictions, attainders, outlawries, penalties, escheats, and forfeitures,

and every of them, and all grants thereupon made, and all estates derived under the same, be and are hereby declared and enacted to be, from henceforth null and void ; extinguishing all actions, suits, demands, and prosecutions, civil, or criminal, public or private, except for the restoration of such estates, as have been, or shall be, seized from the owners, during the troubles ; and for restoring to the said owners the mean profits of the same. Provided, that arms not taken up by his Majesty's authority, shall be laid down by our subjects in the said provinces, within —.

Hon. R. B. Walsingham The hon. R. B. Walsingham seconded Mr. Burke's motion.

Rt. Hon. Welbore Ellis Right hon. Welbore Ellis replied to Mr. Burke ; and added, that the greater disposition Great Britain shewed towards conciliation, the more obstinate, rebellious, and insolent America would become.

Sir George Savile Sir George Savile, in support of the motion, which not only involved in it the liberties of America, but even those of Great-Britain ; for he said it would be the height of credulity and madness to expect that Britain could long retain her constitution inviolate, if America were reduced to a state of unconstitutional subjection. The ministers have often said, they do not know what America wants, for that she is every day rising in her demands. He could very easily imagine the leading people of America, the congress, to be like the ministry. A number of men perhaps not thoroughly united. We have the noble lord [lord North] who is one day for conciliation ; but as soon as the first word is out, he is checked and controuled, and instead of conciliation, out comes confusion. Declared, upon his word, the noble lord's character and frankness ought not to be so treated. He is used as if meant to be made a fool of. He could suppose the people in the congress pulling different ways, as they do here. Now, said he, suppose we are the congress. The leading men sit there, (pointing to the treasury bench) for instance ; the learned gentleman [Mr. Wedderburne] for his quiet and temperate character, spirit of moderation, deep philosophy, love of liberty and his country, I will suppose is Dr. Franklin. I have fixed upon him, besides, as his particular friend. His neighbour [lord G. Germain] is general Putnam. His next neighbour [lord North] is Mr. Adams. And there is a gentleman there, I can suppose to be Mr. Hancock—I beg your pardon, Mr. Speaker, [bowing to the Speaker] you are Mr. Hancock. Now I will suppose all these great men got together ; and our Dr. Franklin to take up the defence of the
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colonies, with all that wit and eloquence of which he is master. I will only suggest the topics upon which he would talk. [*Here Sir George put all the strongest words and arguments in defence of America, into the mouth of this supposed Dr. Franklin, and went on in the same manner with the other supposed persons.*]

Sir Grey Cooper insisted, that the surest means of amicably adjusting the differences between the two countries, and to settle their respective rights on a solid basis would be to show, that any concession on our part proceeded from our love of justice, not from any dread of the resistance we might probably meet with in the execution of our designs; the stronger we were, therefore, the more dignity and effect our negotiations would have.

Lord Ossory for the motion; disapproved of the dangerous experiment of fomenting a civil war, and the obstinacy, if not worse, of prosecuting it at so great a risque, and at such enormous expence.

Lord Advocate of Scotland against America; and in support of the power of the state, and the supreme legislative authority of Parliament.

Lord John Cavendish for the motion, and severe upon the ministers, particularly upon the want of union among them, said, it was one day peace, another day war; one day it was the commerce only of America, that was worth preserving; next day every thing was to be sacrificed to the supreme, undefined authority of Parliament; and the last day, (upon the land-tax) he perceived the minister returned to his former ground, and absolutely and expressly contended for the right of taxation, the exercise of that right, and that too for the purpose of raising a revenue, in order to lighten the burthens of this country.

Honourable Mr. Fitzpatrick for the motion. He declared his good opinion of the gentlemen in administration, with whom he had acted till that day; that he now must differ from them, because he was convinced their measures were ruinous, and the object impracticable.

Mr. Adam against the motion.

The Lord Mayor [Mr. Sawbridge] for the motion.

Colonel Onslow against the motion.

Right honourable T. Townshend for the motion. He arraigned and condemned administration in severe terms.

Governor Pownall. He was sorry, he said, that the House had gone into the question of the right of taxation, on a proposition,

position, which waving that question, was moved solely on the ground of *expediency*. The gentleman who moved it had studiously avoided touching upon the right, and yet the House had been now near seven hours talking upon a subject, which had nothing to do with the question of the day. He was sorry to find, that this discussion had been carried on with mutual reproaches of parties, one against another. So long, said he, as the House will dwell upon this point, and so long as parties shall be, as they always are on this point, more solicitous to discriminate their own principles, to defend the rectitude and consistency of their particular line of conduct, in reprobation of that of others, we never can come to any real settlement of this matter.

It seems now, at length, high time to say something to the matter proposed, and to the real question before you. He said if he had risen earlier in the day to speak, he should have followed the honourable gentleman through the whole of his reasoning, as well as examined the proposition with which he concluded: but now, after so long a debate, and at so late an hour, he should confine himself simply to the proposition.

In the stating of it, he begged the attention of the gentleman, that if he mis-stated it, he might be corrected.

The honourable gentleman has stated this business as lying in three lines of consideration, or three plans, on which it might be taken up. The first was direct war; the second, a mixture of war and negotiation; and, thirdly, his plan of concession, *previous to all treaty*; that is, concessions made as preliminaries to peace. The first part of his speech endeavours to prove, that war was impracticable; his second part was taken up to shew, that the mixt plan, as he calls it, must be a series of fruitless perplexities. He says, it was necessary to dispose of, as he expressed it, these two ideas first, that he might make way for the third, his own plan. In his manner of doing, he has justified the propriety of moving the previous question; because, Sir, if his plan cannot be considered till the mixt plan, which he supposes to be the minister's plan is disposed of, we ought to know, *first*, what that plan is, and not be satisfied with his disposing of a phantom of his own raising, which he supposes to be that plan. The speech from the throne informs us, that there is some plan of pacification: we may take assurance, that the ministers must lay that before us; according therefore to the honourable gentleman's own method prescribed, we must
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dispose of that, before we can come to the consideration of his plan. But if there was not that reason, from his own idea of the method of proceeding, I cannot, but think it decent to consider, first, that plan, of which the speech from the throne has given the first notice, and not to suffer it to be anticipated by the intervention of any previous plan. If that gentleman had on any occasion given notice that he would offer to the House propositions on any particular subject, and if after such notice, any other gentlemen should endeavour to anticipate him, by getting a previous day, I would certainly, in such case, move the previous question on that gentleman's motion, as I shall on this of the honourable gentleman to-day.

He says, Sir, such is the state of this American business, that we must either change their sentiments by negotiation, or subdue the rising spirit; that we cannot subdue the spirit which is up, by war; that we cannot change it by any negotiation, which, while war lasts, we can enter into; we must therefore previously make concessions; we must disavow our declaration; repeal our acts; sue for peace, and the Americans will give it to us, on his plan; we must previously regain their confidence, "by removing the ground of the difference:" on the plan he proposes, we shall restore the former unsuspecting confidence of the colonies. This, Sir, is the very question now before you. Let us then consider the concessions which he proposes, and examine, by the best rule and only judge in this case, experience, what effect these concessions will have? He says, that as the Americans did, on the repeal of the stamp act, resign themselves to their unsuspecting confidence, and were perfectly satisfied, so will they now, if his plan is adopted; and he has read from the Journals of the congress, their words as his authority: but as he has not read *all their* words, not all the sentence, let us see how the whole stands. "*After the repeal of the stamp act, say they, having again resigned ourselves to our ancient unsuspecting affections for the parent state, and anxious to avoid any controversy with her, in hopes of a favourable alteration in sentiments and measures towards us, we did not press OUR OBJECTIONS, against the above mentioned statutes made subsequent to that repeal.*" So far then it appears from having no suspicions, they had objections; objections to acts passed *subsequent* to the repeal; and these acts are specified in their resolves and proceedings to be acts of 1766; the declaratory act, and the act for *granting duties* in lieu of others repealed.

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When, Sir, instead of alterations of sentiments and measures towards them, one law was made, proposed by this gentleman's friends, declaring a power to bind them *in all cases whatsoever*; and one other, reciting, that although it was proper to repeal certain rates and duties *on account of their inexpediency*, yet it was necessary to grant others in lieu of them, to his Majesty his heirs and successors, to be paid into the exchequer and reserved for the future disposal of Parliament; their content vanished, they relapsed into their suspicions, they began to come forward with their objections, and the New-York petition was the first symptom of this. But, Sir, they not only were not, in fact, but they could not, on the principles from which they opposed our system, be content. They objected to all laws laying duties for the express purpose of a revenue. The 6th Geo. III. c. 52, granted duties to his Majesty, his heirs and successors, to be paid as a revenue into the exchequer, and to be there at the disposal of Parliament. Many laws prior to this period, gave and granted duties, and appropriated them to the purpose of revenue. We have heard much of the act of navigation, and by some mistake, gentlemen under that idea refer to the act of trade of the 25th Car. II. The act of navigation directs that all the commerce of the colonies shall be carried on in British shipping, and enumerates a certain number of articles of the produce of the plantations which are to be brought to England only. The act of trade says, that there shall be answered and paid to your Majesty, if bond shall not be first given to bring such commodities to England, the rates there specified. Here we find the precise idea of duties laid as a regulation of trade. But in the year 1696, in king William's reign, we find, for the first time, these duties converted into a revenue; they are directed to be paid whether bond be given or not. Revenue officers, under the direction of the Lord High Treasurer, are established. If therefore we are to repeal all acts which grant duties as revenue, in 1696, not in 1764, was the system changed. If therefore on that principle we go back to 1763, we must of necessity go back to 1672. But lest gentlemen should doubt whether duties granted to his Majesty were ever before 1764 appropriated to revenue, let them refer to the civil list act, of the first of Geo. I. there they will find that the plantation duties, which by the 25th Car. II. "were granted to his Majesty, his heirs and successors for ever, shall be brought and paid into

into the receipt of the exchequer, *for the purposes* in this act expressed," namely, the forming a fund for the civil list.

But, Sir, before this time the tax of fixpence a month laid upon all American seamen, and always paid by them, was laid in King William's time, for the purpose of *augmenting the revenues of Greenwich-Hospital*.

The Americans require the repeal of the post-office act, of the 5th Geo. III; that act, Sir, laid no new duties, it made new regulations; but it was the post-office act of the 10th of Ann, which granted duties in America for the purpose of enabling her Majesty to carry on the war.

It appears therefore, as they were not, so they could not, be content with what was done in 1766.

But to come to the precise proposition of this day. It is a proposal of a bill formed on the resolutions which he moved last year; and that proposition, although grounded first, on the complaint which the Americans make of their grievances; second, on the declaration of their rights; and third on the plan of the preliminaries which they throw out; although they require, as such preliminary, that we should go back to 1763, the proposition does not extend to a full remedy of their grievances, and to their idea of their rights; it does not go even to 1763, it goes only back to 1766. It is very ready to repeal every act, except the acts of the administration of that gentleman's friends. The declaratory act is not to be repealed. The revenue act of the 6th Geo. III. is not to be repealed. Let us first see what the effect of this plan of concessions made last year, was: it came last year in resolutions, it is now formed into a bill. Why, Sir, since this plan was proposed, the congress, reiterating their demand of the repeal of all the acts of revenue and restriction since 1763; specify particularly the declaratory law, and the revenue act of 1766. After having recited fifteen heads of grievances, hear what they say in their own words: "But why should we enumerate our injuries in detail? By one statute it is declared that Parliament of right bind us in all cases whatsoever. What is to defend us against so enormous, so unlimited a power?"

Upon the effect which this plan has had last year, we may fairly put the issue of the effect that may be expected from it this year, especially when this year we find in the preliminaries of the congress, the removal of the troops as well as concessions; which does no part of this gentleman's plan. Whatever expectations that gentleman may have of confidence

dence from the Americans, in consequence of this plan, he may be assured, that while the Americans are very willing to avail themselves of the assistance of him and his friends, other persons will have their confidence. The gentleman and his friends bid as low as they can in conscience go; but others have bid lower: some are ready to go back to 1763; others think you should go still further. The Americans expect that we should go further; for see on what ground they put themselves, when they ask only the repeal of the revenue and restrictive laws passed since 1763. Take it in their own words. “Resolved, That the congress do *confine themselves at present* to the consideration of such rights as have been infringed since the year 1763, *postponing the further consideration of the general state of American rights to a future day.*”

From the first spring of this sad business, having been for *modes of policy* in preference to *measures of force*; I having always thought, and invariably said, that your system called for revision and amendment, I have been against all partial concession and repeals. I think it should be laid on some basis, which is solid, and may be permanent; on such whereon the liberties of America being fixed, the sovereignty of the empire may be established. Repeals upon every partial complaint, and concessions upon every clamour, is not the way; this would produce nothing but endless succession of quarrels, and patching up of those quarrels. *Induciæ, bellum, pax rursum.* It should be taken up on some great and general system. And such I now expect, and shall therefore, although I give no negative, move the previous question on any parts of a scheme moved on partial grounds, that of previous concessions.

But to consider the purport of the bill itself. Although it is grounded on the complaints of the American grievances, and of the violation of their rights, it does not go to the redress and remedy. They complain of laws, laying duties, and granting them for the express purpose of revenue; yet it goes only back to the year 1766. You have seen the remedy to be real and efficient must carry us back to 1672. They complain of the admiralty jurisdiction: now that, Sir, is as old as the act of navigation. By that act, ships navigated contrary to law were to be seized, might be brought to the court of admiralty in England, on the express principle, *that there should be no party juries.* For the ease, and not the ag-grieving of the subject, courts of admiralty were afterwards established

established in the colonies, and all this system stood established before the period of 1764. To my argument it is nothing how far this is right or wrong, grievous or otherwise : but the Americans complain of it as a grievance ; and if the bill which is to redress their grievance, and to concede to their complaints, must go to the bottom ; if it means or hopes to gain their confidence---this bill does not go far enough---there are others who are willing to go further.

On this ground, he said, that the present proposition would not produce the effect it proposed ; that it was but a part of a system proposed as an expedient, or rather an experiment to a partial purpose. On the assurance that this business of America would be now taken up on some great and general system in the whole, and the speech had announced some plan, which from the method adopted by the honourable gentleman should be *disposed of first*, he moved the previous question.

Lord George Germaine said, as he had held but one conduct in this American business ; as he had been direct and explicit in that conduct, he now entered into office on the same principles, on the same line of conduct, and hoped he should be always found decisive, direct, and firm in it. Ld. George Germaine.

On the point of the legislative authority of this country, he should always maintain that sovereignty which was established and founded on the constitution. On the point of taxation, although he should never concede the right, he should never object to the withholding the exercise of it, if other modes could be adopted. But if we are to have no peace, unless we give up the right, the contest is brought to its fair issue ; we are equal to the contest ; our internal resources are great ; and we can never despair of that assistance which we may want.

Gentlemen call for answers to several questions ; I stand forth, as far as my judgment can, and my advice goes, to give an answer. Are we, say some gentlemen, to give up taxation ? Are we to have no American revenue ? I do hope we shall ; I trust we shall draw a revenue from America. Whether that shall be by the exercise of our right of taxation, or whether by any other mode, I do not think material. If the Americans, willing to join their aid to the common supply, and willing to share our common burthens with us, can propose any mode which will make them easy, which will remove their fears and jealousies, I shall be ready to adopt it. I wish they were in the situation of the year 1763, if the government of this country was so likewise. If our present

ystem is wrong, let us avow it ; consider, and rectify it. They have a right to every liberty which they can enjoy, consistent with the sovereignty and supremacy of this country. Let them be happy. Nobody can wish them more so than I do. But I have never changed my opinion as to the legislative supremacy of this country. What I have always held, I now stand in office to maintain.

To the questions ; What force is necessary ? What do you mean to send ? I answer, that the officers serving on the spot, those especially commanding, are the proper judges. What they, upon a full state of the service, think necessary, as far as my advice can go, shall be sent ; not to be insulted. Such forces as are necessary to restore, maintain, and establish the power of this country in America, will not be wanting.

Much has been said about the plan of sending commissioners. My idea of that measure is, that they should not only have powers to pardon, but to inquire into grievances ; and if the Americans, returning to a sense of their duty, should offer terms (not with arms in their hands) they should be empowered to consider, and on their submission, to take off those penal restrictions under which, from the nature of their conduct, the Americans now lie. If, by opening a door to retreat, the crown tries to induce them to lay down their arms, what can it do more. If they persist in their appeal to force, the force of this country must be exerted. The spirit of this country will go along with me in that idea, to suppress, to crush such rebellious resistance.

As to the gentleman's proposition, I think it has been fully proved, that it would not answer the expectation of those in America, whose confidence he meant to gain ; that it does not go so far as they expected ; not so far as some here would go ; and previous concessions, as gratuitous preliminaries, whether accepted or not, without any thing offered on their part, would put us on worse ground, and remove the matter still further from the conciliation he proposes. I am therefore ready to give my negative to it, or rather, to join in the previous question.

Mr. Fox.

Mr. Fox for the motion, and very severe upon administration. It was here this gentleman, with infinite wit and readiness, gave a description of the treasury-bench, beginning with Mr. Ellis, and ending with Mr. Cornwall, by a single epithet, happily marking the characters of each of them, with fine satire, and without the least breach of decorum.

The

A. 1775.

D E B A T E S.

195

The *Solicitor General* [Mr. Wedderburne] in answer to *Solicitor General* Mr. Fox, defended administration in a fine vein of oratory. And in answer to an observation of Mr. Burke upon the conduct of Demosthenes, he entered upon classical ground, and with consummate eloquence and accuracy of recollection, descanted upon the history of that period, with allusion to the present times. His speech was a restoration to the House; and though it was three o'clock in the morning, awakened the attention of every man in it.

General Conway replied to Mr. Wedderburne.

Gen Conway

Mr. Graves seconded the motion for the previous question.

Mr. Graves.

Lord North. I declare, that if I thought the motion would procure that conciliation which the honourable gentleman who made it has held out, I should be staggered. But it has appeared that this line of concession will not procure it; and it has been clearly marked to you, that this line is not sufficient. Therefore were I of opinion with the honourable gentleman [Mr. Burke] as to repealing all the acts he mentions, as I am as to some of them, these concessions would not procure the end he proposes, but put us upon still worse ground, and remove us farther from any conciliation this country can agree to. I think, for instance, that those penal and restrictive acts which have been indefinite as to the term of their operation should be repealed, and the matter and purport of them thrown into one general act, framed to be enforced during the continuance of the war. The honourable gentleman [Mr. Burke] has in his bill proposed to empower the King to call a congress in America. He has that power; has done it before, and may do it at any time. Besides, the proposed bill confines the power of the crown to treat only with the congress, therefore his Majesty can treat with nobody else, if there were any persons disposed to offer terms of submission.

A little before four o'clock in the morning the previous question was put "that the question be now put." The House divided, ayes 105; noes 210.

November 17.

Nothing material.

Adjourned to the 20th.

November 20.

Lord North moved, that leave be given to bring in a bill, to prohibit all trade and intercourse with the colonies of New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, the three lower coun-
ties

Lord North.

ties on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, during the continuance of the present rebellion within the said colonies respectively; for repealing an act, * made in the 14th year of the reign of his present Majesty, to discontinue the landing and discharging, lading or shipping, of goods, wares, and merchandize, at the town and within the harbour of Boston, in the province of Massachusetts Bay; and also two acts, † made in the last session of Parliament, for restraining the trade and commerce of the colonies in the said acts respectively mentioned; and to enable his Majesty to appoint commissioners, and to issue proclamations, in the cases, and for the purposes, therein to be mentioned. He explained the necessity of restraining the Americans from all trade during the present rebellion, and the justice there would be in immediately taking off the restraint from such colony wherein it might cease; that the Boston port act, and the acts passed last year, being framed upon other grounds and for other purposes, would stand in the way of this operation; that the restraining bills were civil coercions against civil crimes; but we being now at war, the provisions were incapable, and other provisions were now necessary: those provisions he now proposed were such as would be made use of in case of war with any country in the world; but they were framed under such provisos as might open the door of peace upon its first approach. That if we were ready also to repeal the charter bills, yet he could not do it while they denied the right that we had to make them; that as to the bill for the administration of justice there was no need to repeal that, because the country being in actual war, martial law took place, and there were no courts of justice in which it could operate: it was a temporary bill for three years, two of which are expired; and it would cease of itself. That he should also be ready to repeal the tea duty on the same grounds, that he would suspend every exercise of the right of taxation, if the colonies themselves would point out any mode by which they would bear their share of the burden and give their aid to the common defence. The purport of the clause respecting the commissions, had been very well explained the other day by a noble lord [Lord George Germaine] that it meant besides the granting of pardons, that

* The Boston port act.

† The fishery and restraining acts.

they should enquire into any matter of change of circumstances in which the colonies were now, from the time they were when the laws were made; if there were any matter of real grievance or oppression that could be remedied to their benefit or to the common interest, that they were to have the power of judging whether any part or a whole colony were returned to that state of obedience, that they might declare that colony or part to be in peace, upon which the restrictions in the present bill were so formed as to cease. He acquainted the House, he found from what he said the other night, under a state of fatigue and indisposition, had led people to conceive he was so far tired out with this business, that his administration was drawing to a period; he therefore begged to repeat what he always had said, how happy he should be to decline the arduous task to which he might, perhaps, in point of abilities, be unequal; yet in point of good intentions he had no other end in view, no not for a moment in any time, but the public service; meaning at all times to conduct it with the least burden to the public; on those occasions where severity was necessary, to alleviate that, as much as the common safety would permit; and to withhold it, whenever the public safety did not absolutely require it. That there were two grounds, upon which every minister ought to stand: the first was, that the King had an undoubted right of naming his own servants: the second was, which formed the happiness of this country, that if the people by their representatives did really disapprove the measures of any minister, to that degree that they would not go along with him, the King, however he might approve such minister, could not carry on his business by him, and must part with him. That this business of quarrel with the colonies about taxation, was began and prepared for him before he engaged in it as a minister; that he took it up, not when it was a question whether it was right to tax the colonies or not, but when they disputed our having any such right, and at a time when this country was determined not to give it up: as he engaged when this dispute was actually begun, he was bound to see it through; and if the colonies, by appealing to arms had made war the medium, although peace was the only point he ever retained in his view, he must pursue it through that medium: being thus engaged, he did declare, that unless the King dismissed him, or a majority of the House, disapproving his conduct, desired his dismissal, he would not give up the conduct of this business to any body else. As to the means of conducting the war,

war, he declared there never was any idea of raising or employing the negroes or the Indians, until the Americans themselves had first applied to them: that general Carleton did then apply to them; and even then, it was only for the defence of his own province. As to the events of the war, things wore a much better aspect at present, than a little while ago: that Halifax was now absolutely safe; that there were indeed two expeditions against Canada, but he did hope that Canada would not fall into the hands of the rebels. He would almost venture to say that Quebec was safe; but he begged the House would not understand him as promising that: his own opinion was, that it would not fall into the hands of the rebels.

Mr. Fox.

Mr. Fox. This proposition is cutting off and destroying all trade with America. If the noble Lord's other measures had not done it, this would effectually. Though they had not at present the manufacturers at their door, he would prophesy, they would have them at their door next year. The true intention of this bill is, to break up the manufacturers, who, through want of subsistence, will be obliged to enlist, and thus the noble Lord thinks he shall recruit that army which would not otherwise be recruited. That as the noble Lord had now proposed repealing three oppressive acts, he begged to ask him, as a man of honour, and as a gentleman, whether he did not now wish that he had adopted the opinion of the noble duke [the Duke of Grafton] who was first lord of the treasury, when the repeal of the tea duty was moved in that House, and supported it? He repeated, there were differences of opinions amongst persons high in office at that time; and he asked the noble lord [Lord North] whether he did not now wish he had been of opinion with those who were for repealing that duty, because they saw and therefore wished to avoid that chain of misfortunes, which the continuance of it has drawn after it?---This proposition of peace he said, like that of last year, was meant to lead on this country under a delusion of flattering hopes of peace; and to endeavour to deceive, which it would not do, the Americans, that this country wished for a peace of the description which the noble Lord held out, or were unanimously determined to prosecute the war, if such peace could not be had. The whole was insidious, and therefore could have no other effect upon the Americans than to destroy their confidence in government, if any yet remained. If the Americans should believe the spirit of this country was unanimous against their rights,

rights, they had nothing to do but prepare immediately for war, as their only defence against a system of despotism. That this proposition therefore was a declaration of perpetual war; and if he gave his vote for it, he must consider himself as giving his vote for a declaration of war. However, as he had always said, that he would support any measure of reconciliation, he should go so far with the noble Lord, as the repeal of the three acts he mentioned. Therefore he moved the following amendment. To leave out the words "To prohibit all trade and intercourse with the colonies, &c." to the word "respectively:" and to leave out the words, "And to enable his Majesty to appoint commissioners, &c." to the end.

Sir George Hay. The question was not now, either of a declaration of war, or of the mode of conducting it, but how to get out of the war. This was the first bill of vigour that had been offered, therefore should be heartily for it. He then said many things upon doctrines of resistance, according to the principles of the Revolution; in particular, that if any unlawful power was exerted, or even any lawful power exerted in an arbitrary manner, against the constitution, those who had a right to defend and maintain that constitution, had a right to resist it; but that there had been in this case, no violation of the constitution, either by the exercise of an unlawful power, or by the exertion of any lawful power in an arbitrary way. He owned that many of the laws, formed for the state of the colonies in their infancy, might be burdensome, and the occasion of grievances, by being inapplicable to their present state; that those laws ought to be revised: that even the acts of trade might be somewhat relaxed. If the monopoly of trade cannot be maintained or secured, the colonies might be encouraged in all manufactures not injurious to this country, and they might be obliged or compelled to take from us our manufactures: but these were matters for a time of peace, not for the present, when we are engaged in a question of power; until that was settled, it was nonsense to talk of our making regulations, the right of making which was disputed, and the power of carrying them into execution opposed by arms. His idea, therefore, was, that at present the Americans are in actual rebellion; but if other gentlemen are of opinion that they are in a state of resistance which they justify, they are called upon to take up their defence, not by speeches in this House, but by

arms. Why don't they go and join them? that would be the true mode.

Lord Howe. Lord *Howe*. He did now know any struggle an officer could have, serving on the present occasion, so painful as that between his duty as an officer, and his duty as a man. However he suffered, if commanded, his decided duty was to serve. He did apprehend that all this an honourable relation of his had felt: it was what he himself felt very sensibly; and if it was left to his choice, he certainly should decline to serve.

Mr. Fox. Mr. *Fox* got up, to fix his Lordship to the point, with precision.

Lord Howe. Lord *Howe* to explain. Should certainly decline to serve, from the sense he had of the right and importance of such a trust: but if he was commanded, it was his duty to obey, and he could not refuse to serve.

Lord Fred. Campbell. Lord *Frederick Campbell*. When those gentlemen who repealed the stamp-act came into that measure, they did not venture to do it without bringing in the declaratory bill, to mark the sovereignty of this country, and to shew that they did not give it up. No man or party now in the kingdom dared to repeal the declaratory act; even a great minister, whose measure the repeal was, when he quoted Prior---

Be to her faults a little blind,

Be to her virtues very kind;

every body knows the next line, which he did not quote,

Let all her ways be unconfin'd.

If that great minister did not venture to hold that language, he might assert, no other man in this country would.

Gen. Conway.

General *Conway*. Thinking as he did, that the interest of this country depended upon an union with America, and that the union would remain so long as that interest was rightly pursued, he did not see the necessity of the declaratory law: he thought it right that the supremacy of this country should be established to all points which were necessary, but not to taxation: he had hoped and flattered himself, that the idea of taxation had been wholly given up by every body; but since a noble Lord had come into office, it seemed as if the dispute on that question was revived. He thought the fire had been smothered, but since that noble Lord came into office, he had uncovered the ashes and blown the flame afresh. Our supremacy, he said, over the colonies, is of the essence of our relation to them: but, may I not make an exception? There is no law without an exception.

tion. The House of Lords and the House of Commons have each of them their rights, which are generally understood: but if we were to go into disputes, with all the prejudices of each House respecting power, we could do no business, and there would be an end of Parliament. For argument's sake, therefore, I may allow, that our right of taxation is a clear and distinct right, which in my conscience I believe to be no right; yet, would it be for the interest and good of this country to go to war about exerting it? As to the forces of the two countries; speaking of our own, however high our discipline might be supposed to be, yet compared with many other countries, it would be found very inferior; but yet that the courage and spirit of our people supplied that defect. That the forces of America, though certainly inferior to ours in discipline, yet they were already much beyond any thing we had any idea of, and would in the course of war be trained and as well disciplined as ours. In point of courage, he could make no distinction wherever a Briton dwelt: but this every body must remark, that there was a certain spring and zeal, which an animation for liberty always gave, beyond any other cause. Supposing each party to have an army of 50,000 men, he thought the Americans would prove a match for the British troops, as they contended upon principle for liberty, which he thought would render them superior to our advantage from discipline. As to that part of the proposed bill which related to the commissioners, he could say little, as nothing had been explained; only that so far as his opinion and vote went, he would never trust any power to any commissioners whatsoever, without a distinct and direct line laid down in Parliament. The subject of military obedience having been started, it might, in the eyes of some, look like an unworthy shrinking from the question, if he did not say a few words to it. He did not imagine there could be any struggle in the mind of a military man so dreadful, as any doubts of this kind. There was a great difference between a foreign war, where the whole community was involved, and a domestic war on points of civil contention, wherein the community was divided. In the first case, no officer ought to call in question the justice of his country: in the latter, a military man, before he drew his sword against his fellow-subjects, ought to ask himself, whether the cause was just or no? He quoted the story of the massacre of St. Bartholomew, and the answer of the Count de Torden, and concluded with, that if he thought of this case as de Torden did of that,

all emoluments, nay the sacrifice of what people in his situation held dearest, their honour, all this would be nothing in the scale with his conscience: he never could draw his sword in the cause.

*Attorney
General*

The *Attorney General* [Mr. Thurloe.] Let the honourable gentleman justify his conscience to himself, but not hold it out as a point of doctrine to be taken up in a certain quarter and line of service, where his opinions might be supposed to have very great influence; for if those opinions were once established as matter of doctrine, they must necessarily go to a dissolution of all government. Turning to Mr. Burke's late proposition, he said, however amusing and ingenious it was, it drew to no conclusion, and though called a proposition, ended in no proposition at all: it talked of conciliation and union between Great Britain and her colonies, without stating, in any one instance, the relation in which they do or ought to stand. He gave an account of what he called the general spirit of opposition, in which he said, the opposition having got beyond all line of reasoning, they did nothing but scold at arguments which they could not refute. He now clearly understood the noble Lord's [Lord North] proposition, and he approved of it, because it retained the habitual exercise of taxation, and left an opening to America, of a permission to raise her share of supply towards the common defence, by granting it in her own assemblies, and giving it in her own way. On this ground he was willing to coincide, not only in a plan, but in any thing that might give a ground for a conciliation with America; yet he thought, the only sure and permanent ground would be to define the relation between the mother-country and her colonies. He added, that as Attorney General, he had a right, by writ of *scire facias*, to set aside every charter in America: but that in our present situation such a process would be justly the object of ridicule, for the conduct of America was not a matter for judicial but Parliamentary animadversion.

Mr. Burke. Mr. *Burke.* The plan of this year is to enforce the conciliatory motion of last year by military execution. To the charge of not having defined the relation between Great Britain and her colonies, he replied, that the silly, wicked attempt to define it, had been the first and continued cause of their present disunion.

Gen. Conway.

General *Conway*, to explain; on points wherein his character, his duty to his Majesty, and the interest of the public

lic might be involved, he hoped the House would indulge him to explain himself. He very seldom recollected the words he had used in the heat of argument, and could not therefore recollect what might have been his words on this occasion: it was a peculiar part of his character, upon any point in which he was warm and interested, as he always was on this business of America. He might probably use strong expressions, which went beyond the line of his deliberate opinion; if he said any thing which carried a sense, such as that which had been imputed to him by the learned gentleman, [the Attorney General] he did not mean it; and what he meant to say, was, that if he thought the cause positively and directly unjust, it might so press upon his conscience, that he might decline serving in it.

Governor *Johnstone* said, he would not make any apology to the House for the late hour of the night; for let the hour be what it would, the subject was of that importance, no hour could be too late for the mature and deliberate consideration of it. I will now tell you as a sailor, that you will destroy the West India trade by this barring up of the ports of North America; and if you should not do that, you will at least double the insurance on that commerce and navigation; you will starve the islands, and uniting them in the same cause with North America, drive them to revolt also. In answer to Sir George Hay, he said, that administration had both used unlawful power, and lawful power, arbitrarily. Great Britain is the only government in the world which has found out the art of carrying power to the distant parts of the empire, by satisfying the people that they are in security against oppression. You cannot govern the colonies without carrying this power to the spot; that instead of sending it with the necessary and constitutional checks, you are going to send out a commission to exercise, not the constitutional, but the dictatorial power of the crown.

The House divided upon the amendment. For it 64; against it 192.

November 21.

No business. Not members sufficient to ballot for a committee to try a controverted election.

November 22.

Mr. *Fox* moved, that there be laid before this House, an account of the expences of the staff, hospitals, extraordinaries, and all military contingencies whatsoever, of the army in America, from August 1773 to August 1775, inclusive. He

Gov. *Johnstone.*

Mr. *Fox.*

He had drawn up the motion in these words, because it would lay open an astonishing scene of ministerial delusion held out by the pretended estimate laid before the House a few days ago. It would bring the staff into the full glare of day, which has been hitherto artfully held back ; it would shew, that the expence of the ordnance this year had exceeded any one of the duke of Marlborough's campaigns, while in the midst of repeated victories, he was immortalizing the British name ; and it would convince the greatest court infidels, of the temerity of the minister, who, to the very last day of the session, insisted and declared, that the military service, in every branch, and under every description, was amply provided for ; that all his arrangements were made ; and who thus durst, in the bare article of the ordnance alone, incur a debt of upwards of 240,000*l*. He said it would be a farce to sit any longer in that house, if accounts of this nature were refused ; that the motion was parliamentary ; that it would convey no secret to the enemy ; and within his own knowledge or reading, he never heard of an instance where such informations were denied, unless in instances where it was impossible to comply with them ; such as the accounts desired not having been received, or officially made up. Aware of this, he would be perfectly satisfied with copies of those already come to hand, or of gross computations made by estimate, and wait with pleasure for the remainder, till the ministry could venture to face the public, and an ensured majority, with the disgraceful contents.

Ld. North. Lord *North* said, that part of the accounts were on the table ; and that the honourable gentleman would have them all regularly at the proper season.

Mr. Jenkinson. Mr. *Jenkinson* said, part of the accounts now called for, come in under the head of services incurred and not provided for by Parliament ; and that the other part of the account would come when the returns were received from America.

Rt. Hon. T. Townshend. Rt. hon. *T. Townshend* said, it was very difficult to collect the true meaning of what had fallen from the noble lord on the treasury-bench, and his confidential friend and powerful supporter who spoke last. He thought the honourable gentleman who made the motion had, by his candour and previous explanation, precluded them from resorting to such pitiful evasions, and manifest imposition. The honourable gentleman desired no more intelligence than what might be easily obtained, than what they had in their actual possession. But they very logically, at least very humorously, tell him,
“ We

"We have not all the information you want in our power, *therefore* we are resolved you shall have *none*."

Mr. *Hartley* shewed the propriety of the measure on the *Mr. Hartley.* ground of parliamentary usage, and predicted that administration would suffer more in the eyes of the public, by withholding the information, than by disclosing it. It was impossible but the nation at last must be convinced that their works could not bear the light, when they kept every thing in profound darkness.

Mr. *Burke* pressed the necessity of the motion, as it might *Mr. Burke.* be the means of informing the House of the probable expences of the next campaign, formed on the comparative scale, of the proportionate expence of an army of 8500 and 25600 men, which would be the respective military armaments of the years 1775 and 1776.

Sir *George Savile* observed, he had sat in some very com- *Sir G. Sa-*
pliant dutiful Parliaments ; but if the minister was able, by *vile.* his magic influence, to put a negative upon this motion, the present would be one of the most polite and well-bred, he would not say slavish, sordid, and corrupt, he had ever the honour to sit in. However, he did not think, that either the managers or the managed acted with sufficient dexterity and address, for they both had already a salvo for every thing. America is to be conquered ; America is to be taxed ; the expence will be great ; but what of that ? We shall not only conquer these rebels, but we shall likewise compel them to pay our debts, and bear our burdens. What occasion then for concealing an expence, which will be repaid at the rate of 1000 per cent ? What occasion to send the poor country gentlemen, with their fingers in their mouths, or tongue-tied, down to their counties or boroughs, when they might at once be permitted to tell the truth. The last campaign cost one million and a half ; this will cost five ; but then we shall, in the end, be able to make America pay fifty. This would be acting like wise and firm ministers. It would be arming the country gentlemen with facts ; they love good, round, strong, uncontradicted assertions ; and if by next November our affairs should grow worse, and that we should be obliged to tell our constituents that the army and the land-tax must be doubled-----What of that again ? Why, let the ministers, as they rise in their demands, improve in their wisdom and firmness, and instruct the country gentlemen to tell their constituents at Christmas 1776, as they must tell them at Christmas 1775, that administration was deceived.

The

The question was put, and it passed in the negative without a division.

Mr. Burke. Mr. *Burke* moved, that an humble address be presented to his Majesty, that he will be graciously pleased to give directions to the proper officers to lay before this House copies of all acts of assembly, passed in any of his Majesty's islands in the West-Indies, by which the duties commonly called the four and a half per cent. duties, have been granted to his Majesty. Agreed to.

He then moved, that an humble address be presented to his Majesty, that he will be graciously pleased to give directions that there be laid before this House an account of the amount of his Majesty's quit-rents in the several provinces of North-America.

Solicitor Gen. Mr. *Solicitor General* opposed the motion, as disrespectful to his Majesty, the disposal of these duties being entirely within his own power.

Ld. North. Lord *North* said, that the money thus granted was appropriated to the maintenance of the dignity of the crown, and therefore could not come properly before Parliament, which it was well known had no controul over it.

Gov. Pownall. Governor *Pownall* said, the motion, if agreed to, would create another dispute with America. So far as this was the private revenue of the crown, every body must know Parliament never meant to intermeddle with it, not even to audit it. If the mover had any view to audit and controul the revenues raised by the American assemblies, that was what they had always entertained the highest jealousy of, and would open another very serious dispute. Passed in the negative.

The House in a committee of supply having voted 47,400*l.* 12*s.* for the raising and pay of a Highland regiment of two battalions, Sir *John Wrottesley* desired to know, if the officers appointed to those two battalions were to be taken from the half-pay list, or were to be new ones; because, if the latter, he should certainly give his vote against agreeing with the committee in the proposed resolution.

Lord Barrington. Lord *Barrington* replied, that he did not believe there could be Highland officers sufficient procured from the half-pay list; but as General *Frazer*, who is to be their colonel, was in the House, he could probably give the committee better information on that head.

Gen. Frazer. General *Frazer* confirmed what Lord *Barrington* said, respecting the want of a sufficient number of Highland officers being on the half-pay list; and said, that he had himself recommended

commended an officer who was a young man of fortune, family, and great abilities. He thought all the officers ought to be of North-Britain. This mode of raising the men, he insisted, would be a public saving of two-fifths of the levy-money; for the levy-money of the two battalions would not be more than three pounds or guineas a man, while that of the other regiments is five pounds or guineas a man.

General *Harvey* disapproved of raising new corps, and expressed his disapproval of this. Gen. Harvey.

Lord *North* said, troops could not be raised in the ordinary way, therefore he had adopted this. This mode had been taken before, and with success; though he did not quite approve of it, yet he believed there was no other. Ld. North.

Lord *Barrington* said, he never approved of new levies; they were a hurt to the service in general, mischievous in their consequences, and expensive to the state; but if men were not to be had in any other manner, we must submit to the necessity of the measure. Lord Barrington.

The House next went into a committee on the indemnity bill, and ordered it to be read a third time on the 24th.

Hon. Mr. *Marshall* gave notice, that he would, on that day, propose an amendment to the preamble; for in its present form it was an insult upon the House, and a mockery upon the nation. Hon. Mr. Marshall.

The militia bill was then read a third time, Sir *George Savile* offered a rider, to limit its duration to seven years. Sir G. Savile.
Agreed to.

Mr. *Fox* attacked the bill, the framers, the advisers, and in short, every single object which it held out, particularly as it would be the means of encreasing and extending the prerogative of the crown. In the course of his speech he mentioned the address from the first battalion of the Devonshire militia. He supposed, they wanted to alienate the King from the people, to imbrue their hands in the blood of their fellow-subjects: such men, he thought, ought not to be trusted with arms. The Attorney General may be ordered to prosecute the persons complained of in the address, and if wanted, they might come in to assist the law; that was their station. Mr. Fox.

Mr. *Acland* (who presented the address) said, he thought the honourable gentleman pointed at him. He was no adventurer or place-hunter; he was a gentleman of independent fortune, who voted purely in conformity with his sentiments, Mr. Acland.

timents, without any sinister views whatever. Men of property who had much at stake, who could have no interest but the public interest, were surely the fittest persons to be trusted with arms, not those of reduced fortunes, &c. [*Interrupted by Mr. Burke.*]

Mr. Fox. Mr. Fox replied, he had a qualification which was sufficient, and that it was the first time he ever heard any man take any liberties in that House on account of his fortune, whether real or ideal; said, standing as he did, he supposed he had as good a right to speak as any man in that House, and would not be interrupted. [*Here the House interposed, and the altercation went no further.*]

Ld. North. Lord North vindicated Mr. Acland. Said, the militia being a constitutional body, might with great propriety, as a military body, at any time, address the throne upon the state of public affairs, to express their loyal dispositions to his Majesty, and promise any exertions in support of the crown.

Mr. Burke. Mr. Burke said, he was glad the noble Lord had spoke out, because he had now, by this declaration, given a clear insight into his system and principles of administration. If this were constitutional and justifiable, there was an end of the liberties of this country; and that however nominally we were free, we were from this instant, in fact, subject to military government; for if the crown can at any time draw forth the suffrages and support of the militia (all officers appointed by the crown) that it had all the disadvantages of a standing army, and more danger attending it from the prepossessions in favour of a militia, and that unguarded confidence which their fellow-citizens placed in them preferable to the army. He had hitherto been a friend to the militia; but from this time he must look upon them with a jealous eye; and he thought it as safe for the guards to address the King in a body, as any provincial corps of the militia.

Mr. Moyssey. Mr. Moyssey opposed the bill, as an unnecessary extension of the prerogative. He stated the law, as it stood independent of the proposed alteration, and argued that every reasonable purpose of a militia establishment being merely local, was already amply provided for by the laws in being.

The question being put, that the bill do pass, the House divided. Ayes 162; noes 26.

November 23.

The resolution the committee of supply came to yesterday (relative to a new corps of Highlanders) was reported, and opposed by Mr. Burke and Mr. Fox. They contended, that

that it would be saddling the half-pay list with a heavy expence in future, and for the present, would have the effect of loading the public, to the amount of the half-pay of as many officers as might be incorporated into the new levies.

Lord *Barrington* said, that new levies were very disagreeable; and in fact, he did not like the measure, though it was thought right by those in office, that were better judges, and better informed than he was. Yet he looked upon himself as accountable as if he had actually advised the measure. Lord *Barrington*.

Lord *North* said, he had been often told he was no more than the ostensible minister, he therefore might excuse himself by saying, he was not prepared with his answer till he had got his instructions. He would not say he directly advised the measure, but was willing to declare, that in conjunction with the rest of the King's servants, he had maturely considered it, and thought it the most eligible method of raising men on the present emergency; for he was sorry to be obliged to acquaint the House, that the recruiting service was very far from being successful; and by the plan of operations already agreed on, it was necessary that the forces should be ready for embarkation early in the spring. Ld. *North*.

The resolution agreed to.

The order of the day being read, for going into a committee on the Nova Scotia petition, and the Speaker being about to leave the chair, Mr. Burke objected to it; as did also Mr. Dempster, and Mr. Fox. They contended that the Nova Scotia petition had been brought into the House by surprize, late at night; and that the authenticity of the signatures of the petitioners, styling themselves the speaker and assembly of the province, had not been proved; they insisted, that Mr. Cumberland, the agent for Nova Scotia, should be called in and examined, while the Speaker was in the chair.

This was opposed by Lord North, Sir Gilbert Elliot, &c. It was agreed to go into the committee, and Mr. Cumberland was called in. He was asked if he knew any thing of the petition then before the committee; he said, he knew nothing of it. He was shewn the signature of the speaker of the assembly of Nova Scotia, and asked if he knew it; he replied, that he knew the gentleman's hand-writing, having received several letters from him; but he did not know that he was speaker of the assembly till he was now informed of it. [*Withdrew.*]

Lord *North* moved the following resolutions.

Ld. *North*.

Resolved, That it is the opinion of this committee, that the proposition contained in the address, petition, and memorial, of the house of assembly of the province of Nova Scotia, of granting to his Majesty, in perpetuity, a duty of poundage, *ad valorem*, upon all commodities imported into the province of Nova Scotia, not being the produce of the British dominions in Europe and America, (bay salt excepted) the said duty to be disposed of by Parliament, is fit to be accepted, and that the amount of the said duty should be eight pounds *per centum*, upon all such commodities.

Resolved, That it is the opinion of this committee, that when and as soon as an act, or acts, shall have been passed by the general assembly of the said province of Nova Scotia, conformable to the foregoing resolution, and his Majesty shall have given his royal approbation to such act or acts, all and every duty, tax, and assessment upon any goods, wares, or merchandize, imported into the said province, and which duty, tax, and assessment hath been imposed and levied within the said province, by any act or acts of Parliament now in force, ought to cease and be discontinued; and that, for so long as the act or acts of assembly for granting to his Majesty the said poundage duty shall continue in force, no other or further duties, taxes, or assessments ought to be imposed or levied by act of Parliament, within the said province, except such duties only as it may be expedient to continue to levy, or to impose, for the regulation of commerce, the nett produce of the duties last mentioned to be carried to the account of the said province.

Resolved, That it is the opinion of this committee, that it will be adviseable to admit a direct importation into the province of Nova Scotia by his Majesty's subjects, in ships and vessels, qualified by law, of all wines, oranges, lemons, currants and raisins, the growth and produce of any foreign country whatsoever, provided such wines, oranges, lemons, currants and raisins, be imported directly from the place of their growth and produce, and provided also, that the said commodities be not imported into any other port or place within the said province, except the port of Halifax.

Sir George
Yonge.

Sir George Yonge said, he would mention a matter which did not seem to occur to the House. Which was, that this favourite petition from Nova Scotia, contained the same doctrine, held the same language, and claimed the same right as the general congress did; namely, of granting their own money. The House were struck with this observation. He

He desired the petition might be read, when it appeared in *totidem verbis* ; upon which he moved the following amendment to the first resolution.

“ That when the exigencies of the state may require any further supplies from Nova Scotia, requisitions shall be made in the usual manner formerly practised in North America, whereby the said provinces may have an opportunity of shewing their duty and attachment to their Sovereign, and their sense of the cause for which such requisition was made, by which means only his Majesty can be made acquainted with the true sense of his people in that distant country.”

Mr. Burke seconded it ; and General Conway supported it ; but a negative was put upon it.

A petition of the merchants of London, subscribers thereunto, in behalf of themselves and others concerned in the commerce and fisheries at Newfoundland, Nova Scotia, Island of St. John's, River St. Lawrence, Coast of Labrador, and places adjacent, from the several ports of London, Liverpoole, Weymouth, Topham, Limpstone, Exmouth, and Tinnmouth.

And the said petition was read ; setting forth, that the petitioners, during the present year, have suffered very great inconvenience and loss, in carrying on their trade and fisheries at Newfoundland and places adjacent, by their usual resource of bread, flour, and other necessaries, being totally interrupted, by the unhappy differences between Great Britain and her American colonies ; and that, although the present price of corn leaves the exportation of bread and flour entirely open, and seems to make this application unnecessary, yet as the price of both may advance, so that the prohibition may again take place, the petitioners may thereby sustain much loss and disappointment in their business, unless a timely and proper relief is provided by the House, in case of such exigency ; and that, as the quantity of bread, flour, pease, and other provisions, allowed to be exported from certain ports in this kingdom to Newfoundland, under the act of the 14th of his present Majesty, will not be a sufficient supply to carry on the trade and fisheries while an interruption continues in their supply from America, the petitioners cannot pursue their business, unless they have liberty to export, under certain limitations and restrictions, a sufficient quantity of bread, flour, pease, grout, oatmeal, and other necessaries ; and as confining the export to particular persons and districts has been found injurious in a general

neral commercial view, the petitioners hope that the House will think it expedient to allow the exportation of the necessary articles to be extended to any port or ports in Great Britain, where they may be able to obtain them upon the most reasonable and convenient terms; and therefore praying the House to take the premises into consideration, and grant such relief therein as to the House shall seem meet.

November 24.

The order for the third reading of the indemnity bill.

Hon. Mr.
Marsham.

The Hon. Mr. *Marsham* moved an amendment to the preamble of the bill. He observed, that the words as they stood at present, declaring that, "doubts having been entertained of the legality of the measure." were an insult upon the good sense of the House; for by what construction of law or reason, was it possible to presume a necessity of indemnifying the advisers of such measures, while the whole of the offence imputed to the supposed offenders, was, that the measure was substantially legal, but that doubts had arisen in some men's minds relative to its legality? This was a mockery, he contended, too gross to be endured. He hoped, therefore, for the dignity of Parliament, and the particular respect due to that House, that the noble Lord, who brought in the bill, [Lord North] would consent to amend the preamble, and insert, "That the measure (viz. of sending the Hanoverian troops to Gibraltar and Minorca) was not warranted by law and against the spirit of this constitution."

Mr. F. Ho-
neywood.

Mr. *Filmer Honeywood* seconded the motion. He insisted how dangerous soever the introducing foreign troops into the dominions of the crown of Great Britain, without the consent of Parliament, might be, the precedent to be established by the present bill would be infinitely more so; because it was plain it could not be intended to indemnify the minister, but to give the measure itself the sanction of Parliament.

Mr. *Ambler.*

Mr. *Ambler* opposed the motion. He said, let the bill pass as it is, it can do no harm, for it left the matter just as it found it; but for his part, he could not possibly discern the least occasion for a bill of indemnity, as where there was no crime committed, there no indemnification could be required.

Mr. De
Grey.

Mr. *De Grey* contended, that his Majesty's advisers were perfectly justified in the advice they had given. That the measure was necessary; and the necessity was a full justification

cation of it. If the amendment was pressed, he thought the bill ought to be withdrawn.

Mr. Serjeant *Adair* said, it was plain beyond question, that if his Majesty, by his royal prerogative, could introduce foreign troops into any part of the dominions of the British crown, he might introduce them in any number he pleased, and into every place he thought proper, in time of peace as well as war. He observed, that whether we considered the law as it stood anterior to the Revolution, or as it was then declared, it was evident, that even keeping a standing army of natives was contrary to law, much more foreigners, when the spirit of the constitution was considered. Mr. Serj. Adair.

Mr. *Morton* affirmed the measure was legal, because it was taken in a time of war. Mr. Morton.

Mr. *Moysey* protested against the absurdity of declaring the law doubtful in a great constitutional point, and leaving those doubts to embroil posterity; he then entered into a discussion of the legality of the measure, which he argued was in direct violation of the bill of rights. He insisted, from both the letter and spirit of it, that the provision against standing armies was coextensive with this empire, and dwelt much upon the distinction between foreign war and rebellion. Mr. Moysey.

Solicitor General, [Mr. Wedderburne] insisted upon the distinction between garrisons and troops at large, alledged many passages in the conduct of the legislature to warrant such distinction, even in the frontier forts within this island. He said the check which Parliament had upon the crown in regard to the army, was the payment of the troops; and, he said, if the measure in question was fit and beneficial to the public, it should be ratified, tho' it were against law; but, if unfit and inexpedient, should be condemned, tho' the letter of the law were with it. Solicitor Gen.

Mr. *Adam* declared his opinion against the legality of the measure. Mr. Adam.

Sir *Adam Fergusson* insisted, that though this were admitted to be a time of war, yet the calling in a foreign army would always have wanted an indemnity; that both the literal and substantial meaning of the bill of rights clearly imported, that no military force whatever had a right to be kept on foot without the consent of Parliament. The matter was indeed self-evident, for it fairly amounted to this, that if either the letter could be evaded, or the spirit explained away, it would follow that the law enacted nothing, and that

that the King of Great Britain might keep any number of forces he pleased on foot, without the consent, nay, against the declared sense of Parliament. He made several remarks on the question, and some observations upon the mutiny act.

Right hon. *T. Townshend* was very severe on the minister; said he came before the House in a situation no minister ever before ventured. He had violated the laws of his country, and had the effrontery to come to Parliament, not to be indemnified, but to make Parliament testify that he had done nothing but what was perfectly justifiable.

Mr. Burke. *Mr. Burke* said he had heard of angelic Parliaments, healing Parliaments, diabolical Parliaments, wonder-working Parliaments, but never till now of a doubting Parliament. He asked, did the gentlemen of the long robe, those of the treasury-bench, or the very worshipful corps calling themselves the King's friends, doubt? because, if they did, he was certain there was not a single person in the House besides, who doubted that the measure was directly against law, and subversive of the constitution.

Mr. Thurloe. *Attorney General*, [*Mr. Thurloe*] replied to *Mr. Serjeant Adair*, to explain the doctrine of non-resistance, he had on a former occasion delivered, in which he made his doctrine more palatable than it was before.

Ld. North. *Lord North* concluded the debate. He treated the arguments on the other side with some pleasantry, but did not answer them; and observed, that as the gentlemen on the one side were positive for the legality; and the gentlemen on the other side as positive for the illegality; he thought there could be no impropriety in stating the law to be doubtful.

The House divided upon the amendment.—For it 58; against it 130.

Adjourned to November 27.

November 27.

Mr. Alderman Oliver. *Mr. Alderman Oliver* made a motion for an address to his Majesty. He introduced it by saying, That the motion which he had then to make, relating to the advising and counselling the King in matters of great national concern; an object of no small importance; it had ever been considered as such in this nation, and in all monarchies where the interest of the whole employed the attention of the individual; and must especially be considered so by those (amongst whom, he said, he ranked himself) who were most warmly attached to the rights and dignity of the crown, and most personally affectionate to the present Monarch.

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The wisdom of our constitution, he said, had never at any moment, from its first establishment, neglected this most important province.

The great council of the nation, the hereditary counsellors of the crown, the privy council, were all names, he said, with which we were constitutionally acquainted; and that the oath appointed for the last made any arguments from him unnecessary to shew the superlative importance of the office.

To these, Mr. Oliver said, his motion had not any reference.

Modern times, he said, had presented us with novel institutions, and that we now talk familiarly of a cabinet council. Very modern times, he said, had brought us acquainted with something farther; and the present House of Commons would know (which preceding Houses would not have known) what was meant by the name of an efficient cabinet council.

Whether these were blemishes or improvements in our system of government, he said, it belonged not to him to pronounce; for to these likewise his motion had not any reference.

His motion, he said, went to those, who, not as members of any of the councils he had mentioned, but as something still more efficient, have the undoubted merit or demerit of counselling and advising to his Majesty the late measures concerning America, before those measures were brought forward in Parliament.

That there were such counsellors and advisers, he said, he took to be an undoubted fact; and that he must be permitted to entertain his own private opinion of the veracity and integrity of any intelligent person who should seriously and solemnly declare that he believed there were none of this description.

He said, he presumed it would not be denied that the unanimous opinion of an ostensible prime minister, a chancellor, and a responsible secretary of state, composing even this efficient cabinet council, had been over-ruled by this something still more efficient.

There was one measure, he said, and a measure which he conceived to be the most important and uncommon that ever was produced in an English Parliament; the establishment of absolute despotism in Canada; the author and adviser of which, remains to this moment unknown. Though approved, and admired, and adopted, as it had been, by Par-

liament; yet no privy counsellor, no cabinet, no efficient cabinet counsellor, had ever yet assumed its merit; but all to whom it had been imputed, had invariably disavowed it.

The unanimous complaint, he said, of all those who had been in administration during the present reign, as well as the frequent mortification and distressing embarrassment, self-contradiction, tergiversation, apparent inconsistency, and seemingly intended imposition on Parliament, of those who are now in administration, all prove the existence of these unknown counsellors.

He said, he did not mean to charge the present administration with any real inconsistency in their opinions, or with any intention themselves of imposing on Parliament; he intirely acquitted them of both. He believed them innocent of these charges, for they were obliged to give way to an efficiency they could not counteract, and in which they had not the smallest share.

Now these super-efficient counsellors, he said, for he knew not what other name to give them, were the sole objects of his present inquiry. Upon these, he said, the attention of the House should fix; as that of the nation has long been fixed. These, he said, he desired to have declared to that House authentically; and he desired it now, when they would enjoy the full popularity to which those measures intitle them, which the sense of the nation was said to approve. And therefore he moved,

That an humble address be presented by the House to his Majesty, humbly requesting that his Majesty would be graciously pleased to impart to the House, who were the original authors and advisers to his Majesty of the following measures, before they were proposed in Parliament, viz.

For taxing America without the consent of its assemblies, for the purpose of a revenue.

For extending the jurisdiction of the courts of admiralty and vice-admiralty.

For taking away the charter of the Province of Massachusetts Bay.

For restraining the American fishery.

For exempting murderers from trial in America.

For transporting accused colonists to England for trial.

And most especially, For establishing popery and despotism in Canada.

Mr. Saw-
bridge.

Mr. Sawbridge seconded Mr. Oliver's motion, which, he said, he did in compliance with the instructions of his constituents. He said, it was his opinion, that resistance was justifiable,

justifiable even to acts of Parliament, if they were unjust and oppressive. He said, he had himself once been in danger, together with the late Mr. Beckford and Mr. Townshend, of suffering unjustly by an act of Parliament; for that one gentleman in the House [Mr. Ellis] had come prepared with a string of motions, on which to ground a bill of pains and penalties, although the only crime of himself and his colleagues, was that of petitioning the King for a redress of grievances; but that this intended punishment had been over-ruled by one person in the cabinet, who had sense enough to foresee, that if they went on with persecution, instead of having one Wilkes to deal with, they should have five.

Mr. *Storer* rose, to oppose the motion. He said, the motion might be very well intended; for that some people were apt to suspect too much, and some might think they knew too little; but he thought it proceeded from a very unnecessary curiosity. That as to the planner and original contriver of the measures, no doubt the noble Lord at the head of the treasury must be the person; and that he could not see why all the other most excellent measures which his Lordship had carried through, were not likewise inquired after, as well as those mentioned in the motion; that indeed there was no occasion to inquire after the author of any of them, for that the noble Lord had himself avowed them without any inquiry.

Mr. *Wilkes*. The address to his Majesty, which the honourable gentleman has moved this day, is so essentially different from all other late addresses to the throne, that I own it meets with my hearty concurrence. I think it, Sir, of the utmost consequence to know the original authors and advisers of this pernicious and calamitous war, which has already deluged with blood a part of America, and spread horror and devastation through that whole northern continent. When so many provinces of the empire are lost, and the rest actually engaged in a cruel, civil war, we ought not to sit down in a criminal supineness. It becomes our duty, as the grand inquest of the nation, to find out and punish the delinquents, by whose fatal counsels such evils have been brought upon this convulsed, and almost ruined, state. We owe it to the people at large, and several of us have it in express charge from our constituents.

We are, I fear, Sir, on the eve of an eternal, political separation from the western world, unless a very speedy reconciliation should take place. If the present motion meets with

success, I am sure it will do more towards a sincere, lasting and hearty union with America, than all the captious and fallacious proposals of administration. The Americans will then believe we indeed desire a reconciliation with them, and they will at length begin to have confidence in our counsels, when they see the vengeance of Parliament fall on the authors of our common calamities. The principles of violence and injustice, which have hitherto prevailed, they will see (if the House is really in earnest to treat) yield to equity and moderation; a negotiation on fair, equal, and just terms, may ensue, and a general tranquillity be re-established in an empire, which is now shaken to its very foundations.

I really think, Sir, this is almost the only method now left of extricating ourselves with honour and dignity from our present alarming difficulties. You have voted fleets and armies, and your forces figure greatly in the expensive estimates on your table. But the minister knows very well they are not equal to the mad project of subjugating the vast continent of America, nor do I believe the whole strength of this kingdom adequate to such an attempt. After a very bloody campaign you have conquered only one hill of less than a mile's circumference, for you were suffered to land as friends in the only sea-port town, which you possess. Would the noble lord, whom his Majesty has so lately raised to one of the highest civil offices, if he were sent on a military service there, would he venture, even at the head of the whole British cavalry, to advance ten miles into the country? He would not, I am persuaded, be so rash as to make the attempt. And is any minister weak enough to flatter himself with the conquest of all North America? The Americans will dispute every inch of territory with you; a train of most unfortunate events will probably ensue, and the power of recruiting, perhaps subsisting your forces, at such a distance, be lost. After an unavailing struggle of a very few years, when the ruined merchant and manufacturer besiege your doors, you will perhaps think of naming ambassadors to the general congress, instead of your present wild and expensive job, and farce, of thirty commissioners, with a salary of four thousand pounds each, to cry Peace, when there is no peace.

Yet, Sir, I think peace absolutely necessary between Great Britain and America, and therefore I approve the present motion, as holding out the olive branch. The Americans are rapidly encreasing in population, and in the knowledge of all the useful arts of life, even in the fashionable art of murdering our own species. The late worthy governor of Pennsylvania

vania declared at the bar of the other House, that the province now grew more corn than was sufficient for the supply of its inhabitants; that they perfectly understood the art of making gunpowder, and had effected it; that mills and other instruments for saltpetre had been erected with success; that the art of casting cannon had been carried to great perfection, as well as that of fabricating small arms; and that they were expert in ship building beyond the Europeans. He declared likewise, that single province had actually enrolled 20,000 men, and had 4000 minute men ready on the first notice of any real danger. The authentic accounts of the preparations for the forming, training, and disciplining troops in the Massachusetts Bay and in Virginia are equally formidable, nor are they inconsiderable in the other united provinces. Every idea of force therefore on our side must appear infatuation.

All wise legislators, Sir, have calculated the strength of a nation from the number of its inhabitants, the laborious, strong, and active. The population in most parts of America is doubled in the course of nineteen or twenty years, while that of this island is known rather to have decreased since the year 1692. The emigrations of late from the three kingdoms have been amazing and alarming. Our own people have fled in multitudes from a government, under which they starved. It appears from the nicest calculations, that many more of our fellow-subjects have left this kingdom for America, never to return---than I believe administration has hitherto sent in their pay both of our fleets and armies, never to return; in any considerable proportion I mean of the force sent. The Americans, Sir, are a pious and religious people. With much ardour and success they follow the first great command of Heaven, Be fruitful and multiply. While they are fervent in these devout exercises, while the men continue enterprising and healthy, the women kind and prolific, all your attempts to subdue them by force will be ridiculous and unavailing, and be regarded by them with scorn and abhorrence. They are daily strengthening, and if you lose the present moment of reconciliation, to which this motion tends, you lose all. America may now be reclaimed or regained, but cannot be subdued.

Gentlemen, Sir, do not seem to have considered the astonishing disadvantages, under which we engage in this contest against the combined powers of America, not only from the distance and natural strength of the country, but the peculiar and fortunate circumstances of a young, rising empire. The
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congress, Sir, have not the monstrous load of a debt of above one hundred and forty millions, like our Parliament, to struggle with, the very interest of which would swallow up all their taxes; nor a numerous and hungry band of useless placemen and pensioners to provide for; nor has luxury yet enervated their minds or bodies. Every shilling they raise, will go to the man who fights the battles of his country. They set out like a young heir with a noble landed estate, uncumbered with enormous family debts, while we appear the poor, old, feeble, exhausted, and ruined parent; but exhausted and ruined by our own wickedness and profligacy.

Sir, I daily hear the Americans, who glow with a divine zeal for liberty in all its branches, misrepresented in this House, and the ostensible minister diligent in propagating the most unjust calumnies against them. The noble lord with the blue ribbon told us, the liberty of the press was lost throughout America. The noble lord deceives us in this, as in many other things. His intelligence can never be relied upon. The liberty of the press, the bulwark of all our liberties, is lost only in Boston, for his lordship's ministerial troops govern there only. The press is free at Water-Town, but seven miles distant from Boston, at Philadelphia, Newport, Williamsburgh, and in the rest of North America. I will give the House the demonstration. General Gage's foolish and contemptible proclamation against Samuel Adams and John Hancock, two worthy gentlemen, and, I dare to add, true patriots, declaring them rebels and traitors, while the generals Washington, Putnam and Lee, with the naval commanders in arms, remained by him unnoticed, was reprinted in all the American papers. His letters likewise to Governor Turnbull and others, in which he most heroically apologized for his inert conduct, as necessary for the protection of the army, which we were taught to believe would look all opposition into subjection, awe the factious, and give security to the well affected, these letters too were faithfully copied, and I believe all the curious orders he has issued, will be found as exact in the Pennsylvania, Water-Town, and other news-papers, as in the Gazette, published by his authority at Boston, which is as partial and false as that of Paris.

The honourable gentleman, Sir, who spoke last, says, the present address is trifling, for we already know the author and adviser of all the late measures against America; that the noble lord with the blue ribband will avow them, and has done it. I wish to hear such a declaration. Will the noble lord avow himself the adviser of only one of the late flagitious measures

measures, that of establishing Popery and despotic power in Canada? The father of that monstrous birth I thought had prudently hitherto chosen to remain concealed. He likewise tells us, the motion now before us is coupled with nothing, and leads to nothing. I will tell him what it ought to lead to, and be coupled with. I mean an impeachment, Sir, which I trust will follow, as the next motion of the honourable gentleman who spoke first in this debate. Whoever did advise the measures lately pursued, which have lost half of our empire, I consider as a criminal of so deep a dye, that his head would be a just sacrifice to the honour of England and the peace of America. The word Impeachment, I hope, will still strike terror to the ear and heart of a wicked and arbitrary minister, and that the noblest and most important prerogative of this free people, secured to us by our great deliverer, king William, in the act for the further limitation of the crown, and better securing the rights and liberties of the subject, will shortly have its full effect, that no pardon under the great seal of England be pleadable to an impeachment by the Commons in Parliament.

Lord *North* thanked Mr. Storer for the compliments he Lord *North*. had paid him; but said, the honourable member who made the motion, had not considered him as the responsible author of the measures he had mentioned. He allowed that the cabinet and efficient cabinet councils were no parts of the constitution; but said, that the King might consult any part of the privy counsellors he pleased. He said the present motion was a very strange one: that there were several acts of parliament concerned in it, of which he did not know the author: he did not know who was the author of the act of Henry the VIIIth, which he supposed was alluded to; that some of the other acts had been made in different administrations. As for Popery, he said, that was established in Canada before, and despotism was not now established; for that the present act might possibly be repealed when Canada should be in a situation fit to have assemblies; but that at present a legislative council at the will of the crown was the fittest form of government for them. That however the Canada bill came to them from the House of Lords; that he was very willing to take upon himself the guilt of supporting it in the House of Commons. But he said, he hardly thought any person would propose the calling members to account for proposing or supporting any measures in Parliament. The gentleman who made the present motion, was certainly a great stickler for freedom of debate,
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and freedom of opinion, and to complain therefore to another tribunal, of what happened in this House, in consequence of using that freedom, he could not think suitable to the general tenor of his conduct; he was sure it was not constitutional; that he was the more surprised at this motion, as the gentlemen who had moved and supported it, had always professed themselves disregards of men, and concerned only about measures; but that this motion was calculated merely for personal chastisement, and rebuke. He said, he agreed intirely in opinion with the counsellor, whoever he was, that might think one Wilkes sufficient; for indeed he thought that it was one too much in any well-regulated government; though, he said, to do him justice, it was not easy to find many such. Upon the whole, he said, he could not think it proper to carry up a complaint to the King of measures which had received the sanction of Parliament; but for Parliament itself to do it would be ridiculous.

Hon. Temple
Luttrell.

Hon. Temple Luttrell. I rise to give my thanks to the worthy magistrate who has offered to the House this motion, because I think it (as to spirit, however incorrect its form) replete with duty and true affection to his Sovereign, and promises the most effectual relief to the subject throughout every part of the British Empire, at a time of imminent peril to our constitution, our trade, and our liberties.

I own myself to be one of those persons, who, from an unalterable and inmost conviction of mind, subscribe to the doctrine of the great Mr. Locke, that "the legislature changed from that which was originally constituted by general consent, and fundamental acts of society, such change, however effected, is at once an intire dissolution of the bands of government, and the people are at liberty to constitute to themselves a new legislative power." Now, Sir, that the legislature has been materially changed with respect to your American colonists, from what was in the original and fundamental constitutions of society, there can be no doubt; by disposing of their property contrary to their consent, and by the hostile and savage acts consequent thereto, the bands between the British government and the American colonies are of course dissolved; whether or not they will constitute themselves a new legislative power, time only can shew. I very much apprehend, that, unless a speedy and equitable plan of conciliation be held out to them by us, who are the aggressors, such will be the baleful end of our quarrel. But Sir, we are now to come at the prime authors and promoters of this mischief. Shew us the men, that, betraying the in-
terests

terests of their fellow-citizens, and confidence of their Sovereign, first carried rapine, famine, and assassination, thro' that devoted continent. We know that (to speak parliamentary language, and as becomes every well-affected subject) the King *can do no wrong*; we know that his Majesty, from moral principle, *will do no wrong*. He is perhaps the last man in these dominions, who would commit an act of cruelty or injustice against any individual, much less against a whole community; but Sir, we likewise know, that integrity and a guardless temper of heart, have subjected *good* Kings to a misguidance, which has proved fatal to them in the end. The five dethroned monarchs to be met with at different æras of the English history, were distinguished severally in their day for conjugal and paternal affection. They were exemplary models of virtue in domestic life. * Three of them, precipitated from a throne, were secretly put to death. † One ignominiously suffered upon a public scaffold; and the § fifth, having forfeited his crown, was sent into exile. Yet, not many hours preceding the fatal, expiative sentence, each of these deluded potentates was assured, by his ministers and sycophants, he could *do no wrong*. It may be decent, it may be proper, though I have ever regarded such assurance, as the syren canticle which has led many of our best princes with a full-swelled canvass on those quicksands they would otherwise have steered clear of. Sir, it is only by protecting the guilty that kings *can do wrong*, the people of England owe much forbearance, and are slow to commotion; but when once in arms and under the standard of constitutional freedom, however they may have been sometimes baffled in partial onsets, they have at the day of decisive battle, proved themselves invincible. Neither has such their laudable enthusiasm been confined to the re-establishing of original laws for the security of their possessions and franchises; but, has operated with no less vigour in bringing to condign punishment those traitorous persons who had presumed to infringe them; nay of this we have striking proofs, without recurring to the moment of actual revolt, and when the executive power was compelled to pay due regard to popular discontent. In the reign of Richard II. the weakest and worst of our kings, (who at one time declared, he would not turn out the meanest scullion in his kitchen to please his Parliament)

* Edward II. Richard II. Henry VI.

† Charles I.

§ James II.

some great men, who had abused the royal confidence, by carrying into execution schemes subversive of public liberty, suffered as being guilty of high treason *; and, at the request of his people, this king, in the tenth year of his reign, appointed commissioners to scrutinize and reform his cabinet and household. Henry VI. (impotent of mind, and obstinate of disposition as he was) in his twenty-ninth year, at the suit of the Commons, banished between twenty and thirty of his counsellors and minions from his presence, not to be seen for a year within twelve miles of the court; their sentence says "that they may be duly improved:" It was their Master's sad mishap, who recalled many of them at the expiration of the term mentioned, that they were found incorrigible. Under Henry VIII. the greatest tyrant of the most tyrannic race that ever grasped the sceptre of this realm, others suffered for being the chief promoters of very iniquitous extortions during the preceding reign †. Did not a Lord High Chancellor ‡ experience, in the time of the first Stuart, that, neither personal endowments, nor elevated station, could shield him from the punishment due to his corrupt practices? Sir, in the reign of Charles I. certain Judges § met the severest reprehension, for attempting to deliver opinions which were deemed subversive of the rights of the people; and, in the subsequent reign (that of Charles II.) we likewise see instances when great men || were impeached before Parliament for high misdemeanours in carrying on the administration of justice. These, and other, innumerable examples to be found in your annals and codes of Parliament, sufficiently evince, that no official influence, no honorary dignity, could, in the days of our ancestors, screen the infractors on the lawful tranquility of the subject from punishment, tho' they were the nearest servants of the crown, and illumined with the brightest rays of kingly favour. Sir, I am well aware that the malversations of government, have, in the detail, been usually brought as a heavy charge upon the minister only, keeping clear of the monarch: that they have been

* Earl of Suffolk, lord Chancellor, duke of Ireland, archbishop of York, and others.

† Sir Thomas Empson and Edmund Dudley.

‡ Bacon lord Verulam.

§ Lord-keeper Finch, judges Davenport, Crawley, Berkeley, &c.

|| Chief-justice Scrogs, Sir Francis North, Sir Richard Weston, Sir Thomas Jones.

imputed to a De Vere; a Le De Spencer; a Bishop Laud; to a Father Peters; and had such incendiaries, with their base adherents, been timely and voluntarily given up for a sacrifice, atonement might have stopped there; but the Prince on the throne, fascinated by a false glare of prerogative, and, plumed with towering notions of his divine vicegerency, could not be prevailed upon to withdraw his auspices from the proper authors of public calamity, till an injured and enraged people were driven to the necessity of bringing home the sum-total of grievances to the account of Majesty itself. Hence followed social warfare, rivers of blood, and dethronements.

Is there an unprejudiced person in this House, endued with a tolerable share of discernment, who, dark as the political horizon around us now is, cannot discover further mischief to be plotted on the basis of these transatlantic piracies? Are we, Sir, to remain silent and passive till an army of civilized Britons, in compact with the barbarians of Russia, shall have enforced and perpetuated slavery in all our American colonies? Till your popish brigades have taken good account of the liberties of Ireland? Till a mountaneer-militia pours in upon us from the northern confines of this island? Till the mercenaries of a German electorate shall have assumed the guardianship of Portsmouth, Plymouth, and the rest of our sea-port towns, (for they may lawfully do so, according to a very learned gentleman of the long robe on the other side of the floor,*) till, I say, all these motley legions shall have united, to accomplish the hopeful purposes of such zealous addressers as appeared in the London Gazettee of last week?† Then shall the uplifted hand of vengeance and outlawry fall upon the scattered, helpless *corps* of petitioners throughout the several counties of England; those *unreasonable* petitioners to a Prince of the Brunswick family, in behalf of Revolution principles and lawful freedom! Then shall the provinces of America, like many of those in Asia and Africa, be governed by Bashaws; by a knout, or a bow-string, and a Parliament here at home, dastardly and dependent as the Ottoman Divan, maintaining Janissary-law, shall establish the sway of an arbitrary Sultan on the ruins of limited monarchy, and of the best constitution that the wisdom and spirit of mankind ever framed for the happiness and glory of their fellow creatures. Sir, the

* Mr. Wedderburne.

† The Scotch addressers in the Gazettee of 25th of November.

honourable gentleman who made this motion before you, is for tracing this torrent of iniquity to its source, and it is our duty so to do. If there are *efficient* or *super-efficient* ministers behind the curtain, let them no longer remain latent, but be dragged forth to public execration and to public justice. Certain I am, that the only fabricators of the American war are in this island; they are in this metropolis; they are most of them in this House. Several oblique hints and insinuations have at different times been cast to these benches near me from over the way. Some ‡ of the persons I allude to, must own it their duty in a *double* capacity; their duty within these walls, and their duty elsewhere, if they have substantial grounds for such charge, to produce and bring home evidence to the criminal persons. Are they naturally backward at employing spies, or filing informations; or have they not such correct alertness in composing warrants of commitment? Where then are these enemies to their country on *our* side of the House? Are they to be found among those gentlemen opposing your present measures, who withdrew from the sun-shine of a court, and relinquished offices of great honour and profit, rather than sanctify such projects as their consciences revolted against? Are they among those opulent commoners† who have a landed property, and hereditary consequence at stake, equal to the best subjects in Europe? Are they to be found in those heroic commanders,* who fought at the head of your fleets in the last war, with a prowess beyond the idea of the most romantic ages of antiquity? Or must we look for them in those intrepid magistrates, whose public conduct has gained them the confidence and affection of their fellow-subjects, in the greatest city of the whole commercial world, and who are justly revered throughout the most respectable trading-communities in all parts of the British empire: those magistrates, to whose talents, vigilance, and stability, we now turn an eye of expiring hope, as to our sheet-anchor, which can alone preserve the labouring vessel of the state from the dreadful rocks by which it is encompassed? Sir, there are no *Catalines** on *this* side of the House. Far be it from me to charge any gentleman on the *other* side with meriting altogether that appella-

‡ The Attorney and Solicitor General.

† Sir George Savile, Sir James Lowther, &c.

* Sir Charles Saunders, admiral Keppel, &c.

‡ Alluding to an expression from the ministerial side of the House, a few evenings before,

tion. Many, very many, there are facing me, who act (I am sure) from such principles as they persuade themselves are principles of wisdom and rectitude: but, Sir, I will say, that in the line of ministers; in that sanguinary phalanx, at least, which during all the evolutions and revolutions of government for several years past, has remained unshaken and impregnable; in *them*, and in the composition of their principles, I see many *Catalinarian* ingredients; an insatiate thirst of riches; a licentious pursuit after power; dominion to be acquired by the most desperate hazards, and the most savage enterprizes; by the burning of whole towns, the habitations of men, the temples of the Divinity; innocent families to be butchered, and the entire demolition of the commonwealth at her halcyon zenith of peace, harmony, and abundance. Whether or not midst the arcana of their *cabinet*, they, like the Cataline-junto, pass from lip to lip, the chalice filled with human blood, as a pledge of secrecy and co-operative zeal, and to "*rivet them to coercion*," is best known among themselves; but if one may judge by the diabolical creeds which they have not scrupled to avow, such may well be the cup of their sacrament. Men of affluent incomes they have among them, yet chiefly, from the stipends of office, not a patrimonial inheritance, nor the fruits of an honest industry; we may, it is true, give them the credit for a few renegado-converts of note, taken in upon the Sherwood-forest system of policy in the days of Robin-Hood, who recruited his troops from time to time, with such needy stragglers, as could stand a tough-buffeting with the arch-contrabandist himself, hand to fist.

Let us now look for their *military* coadjutors. Those few they could claim of high reputation, and to whose abilities and spirit we might, on a *future* foreign war, venture to give *in custodiam* the inestimable glories of the *last*, these ministers have grouped in a triumvirate, and transported to America upon a worse than buccaneering expedition. We know, that they were last session among the deceived at home, and have this year been already disgraced abroad; at this hour I am speaking, are perhaps in ignominious durance, or dead; if dead, be it for their best reputation, and the repose of their departed spirits, that they atchieved *no* part of the errand they were sent upon. This, Sir, puts me in mind of another *martialist*, (looking at lord Geo. Germaine) not unsignalized in former campaigns, who being now exalted to a place of the greatest public importance; if no other members bet-
ter

ter qualified than myself, shall undertake the task, I perhaps may, on a future occasion, hold it my duty to give him that distinct and copious eulogium which is his just due. Yet before I sit down, I can by no means omit mentioning the person in office, who with little better pretensions, in my humble opinion, than the daily runner of a faction, (looking at Mr. Jenkinson) having climbed into a post of high financial trust, the first duty of which is to be provident of the treasure of his Sovereign and his country, measuring his claims by his own presumption and rapaciousness, not by desert, exacted from the crown a more liberal gratuity than has heretofore been given for eminent and splendid national services; more than was asked by a Burleigh, a Godolphin, or an earl of Chatham; and more than deemed sufficient, by a munificent and grateful nation, for an illustrious naval conqueror,† who is now passing the evening of his life in humble frugality. Tell *this*, Sir, to the people of America; and tell them, that a secretary of state,* retiring from, or rather *deserting* the public duty, at a conjuncture of some embarrassment, either through indolence, apprehension, or conscious insufficiency, is to be pensioned on the state to the amount of 3000*l.* *per annum*. I say, Sir, relate these recent marks, how admirably we Britons appropriate our own money, and the colonists can no longer hesitate to make us trustees for the disposal of theirs; especially if it be to pass through the same hands, and for the like hallowed purposes.

However, I shall still flatter myself, as a consequence of the motion made by the honourable magistrate, (though I could have wished it in a better mode) that our gracious Sovereign will, from the transcendent goodness of his heart, and reflective wisdom, at length give ear to the supplications of his afflicted people; and notwithstanding he may, from an impulse of lenity, preserve the guilty ministers from the punishment their offences demand, he will, for the sake of humanity, and for his own safety, remove them from his council and presence for ever.

Mr. Hayley. Mr. Hayley said, that instructed as he was by his constituents, he could not give a silent vote on the occasion; and he thought, that as all the petitions presented to the King had

† Sir Edward Hawke.

* Lord R—hf—rd.

been rejected with disdain and contempt, the present method of an address to the King from the House was a proper measure.

Lord *Folkestone* highly complimented the member who made the motion, both as a public and a private man, and said, that he held a seat in that House on the most honourable terms; that, for his own part, he condemned all the measures which had been taken against America; because they were adopted in defiance, and by reprobating every principle on which we support our own liberties; that particularly the act for establishing despotism and Popery in Canada, was most obnoxious; for not to mention the annihilation of every species of civil liberty which it establishes, it plainly declares, that in the opinion of Parliament, all religions are equal; and that the only foundation of preference of any, is, its being the more easily converted into an engine of state. But as the motion was directed against acts of Parliament, it was impossible to agree to it. The movers of them are, said he, sufficiently known. We do not want to be informed of that. It is sufficient at present, that Parliament has adopted them: time may come, he hoped, would come, when we shall know who concealed that information; who suppressed that evidence, which if Parliament had received, it would not have adopted them. That he should reserve himself till that time, and therefore at present moved the previous question on the motion of the alderman, as on one which ought never to have been made.

Mr. *Hussey* seconded this motion.

Mr. *Thurloe* said, that an application to the crown concerning any measures which had once passed the Parliament, was highly improper, unconstitutional, and derogatory to their honour; but that he was against the previous question, as he should chuse to give the motion itself a flat negative.

Mr. *Charles Fox* said that he should be against the motion, because it seemed to excuse administration, and to throw the whole guilt on some other persons; whereas he thought administration equally guilty; but he did not think that any punishment could at any time be constitutionally and legally inflicted for any thing whatever, which should be done in Parliament; this conduct there, will always be followed by the loss of reputation; and that he should therefore move for the order of the day, as the best method of getting rid of the motion.

Governor *Johnstone* disliked Mr. Fox's doctrine, that ministers were only punishable by loss of reputation. He quoted Sir Edward Coke's authority, that acts of parliament, obtained by

Lord Folke-
stone.

Mr. Hussey.
Mr. Thurloe.

Mr. Fox.

Gov. John-
stone.

by

by undue influence, or by misinformation, were neither a constitutional excuse, nor by precedent could be made a shelter for the misconduct of ministers. He said, that he disliked the frequent use of the word *impeachment*; that impeachment was a great power of the state, seldom to be exerted, but never to be mentioned without a probability of carrying it into effect against some great criminal. That he objected to the motion, because he thought an inquiry should begin by proving some fact. And said, he hoped, that from the variety of opinions in the House, and the treatment this motion met with, that gentlemen would be taught how necessary it was to act in concert, and consult and act with a number of other persons in their motions and measures.

Mr. Rigby.

Mr. *Rigby* took this occasion, afforded by Governor Johnstone, to ridicule most strongly the conduct of opposition. He remarked their distraction; and the abject state to which every independent gentleman in the House must reduce himself, as a member of opposition; that he must follow a leader much more slavishly and implicitly than in any administration; for that if any unconnected member should make the very motion which opposition had itself determined, yet if he did it without their previous consent and permission, they would themselves turn round upon the honest gentleman as a rebel, and treat him with more indignity and insolence, than any of which they complained in behalf of the Americans. He reminded the city members, that as they professed that they acted in consequence of the instruction of their constituents, they ought to obey them universally, that there were particular points which they had overlooked; that they ought to rub up their memories, before they professed such obedience; that he wished them to obey them universally; that he might have an opportunity of negating them universally.

The question was then put for the order of the day, which passed in the negative, without a division.

The previous question was then put, that this question be now put. Ayes 156; noes 16.

The main question was then put. Ayes 10; noes 153.

The House went into a committee of supply.

Resolved. That 426,904l. 19s. 6d. be granted for the ordinary of the navy, for the service of the year 1776.

That 339,151l. be granted to his Majesty for buildings, rebuilding, and repairs of ships for the service of the year 1776.

November

November 28.

The resolutions of the committee of supply were reported; and after a short conversation between Captain Luttrell and Mr. Buller, agreed to.

Captain *Luttrell* observed, that large sums were annually granted for rebuildings and repairs of ships of war, which he was well satisfied were never expended. He instanced in particular, the *Dragon*, which had been charged in the estimate for three successive years, and still remained in her former condition. Capt. Luttrell.

Mr. *Buller* said, that it was impossible to tell exactly what the repairing or rebuilding a ship might come to; for in some instances repairs and rebuildings came as high as building a new ship. Mr. Buller.

Captain *Luttrell* answered, he supposed it must come higher; for the ship just mentioned might be built for 30,000*l.* complete, whereas it appeared by the estimates alluded to, that she had cost the public 32,000*l.* though she still remained useless, and for aught he could learn, would ever continue so. Capt. Luttrell.

Mr. *Buller* replied, that as to the comparative cheapness of rebuilding, it was not now the question. It might be sometimes better to repair, at others better to rebuild, and on other occasions still better to condemn entirely, and lay a new vessel on the stocks. And as to what the honourable gentleman urged, relative to the estimates, that ships were included in them year after year, it was nothing uncommon, and might be easily accounted for. For instance, a vessel might be put on the estimate this year, and when she came to be repaired, &c. it might be found expedient to lay out the money voted, upon some other ship, and so a second and a third year; but still, that did not go to impeach either the propriety of the estimate or the reality of the expenditure of the gross sum voted, though the application of the several items should be directed to services of a kind different from what it was first destined. Mr. Buller.

November 29.

Resolutions on the Nova Scotia petition reported.

When the first resolution was read there was some general conversation on a point of order between lord North, Sir George Yonge, and Mr. Burke, as to the time of moving some propositions which each intended. The Speaker interposed.

Lord North. Lord *North* said, in explanation of the resolution that it might be proper the committee who would be appointed to bring in a bill upon the resolutions, should be instructed to explain that nothing was meant to interfere with the old mode of requisition. That he had heard in the committee the idea of the honourable gentleman [Sir George Yonge] as also the idea of the honourable gentleman [Governor Pownall] behind him. And he owned he thought the idea of the honourable gentleman behind him, of a proviso making it clear that nothing was meant to restrain the crown from making requisitions, nor the people from making grants upon them, might be very proper. However the House would be the best judge of it, when the matter came into discussion at its proper time. He had always considered the petition as an answer to the conciliatory proposition he made last year.

*Sir George
Yonge.*

Sir *George Yonge* said, it was too ridiculous to suppose that. It was no answer to the noble Lord's conciliatory proposition; for that proposition was addressed to those colonies with whom we had differences, but we had no differences with Nova Scotia. In the next place he said, this colony acknowledges the Parliament of Great-Britain to be the supreme legislature, and so did the general congress; that the petitioners acknowledge it to be their duty to contribute to the empire, and so did the congress. But that they likewise claimed the right which the congress claimed: namely, the giving and granting their own money, and not being taxed by Parliament; that they claimed this as their own right, as well as all America, to which they desire to be held out as a pattern; and they desire it on the footing of preserving to themselves, as well as all America, the rights of mankind in civil society. He was convinced they claimed the exercise of this right, as the condition upon which they consented to grant that tribute to the empire, and of their duty and allegiance to their mother-country. He added, that being by this petition convinced that these were the genuine sentiments of all the colonies, as well those with whom we had differences as those with whom we had not; and that if the exercise of this right was granted by an explicit declaration, which was the only road to peace, there would be an end to the war; that he therefore, for the sake of peace, should conclude with the offer of his proposition, wishing the ministry to accept of it, that they themselves might make that peace, which he should thank them for, as well as every man in England; which he was

satisfied

satisfied was in their power, if it was but in their inclination; but was only in their power, or in any body's, by means of a declaration of that kind. "That when the exigencies of the state may require any further supplies from the province of Nova Scotia, then, according to the prayer of said petition of said province, such requisitions should be made, as have been formerly practised in North America, whereby the said province may have an opportunity of shewing their duty and attachment to their Sovereign, and their true sense of the cause for which such requisitions were made, by means of which alone his Majesty can be made acquainted with the true sense of his people in that distant province."

Mr. *Fielde* seconded the motion. He entirely agreed in the whole of the honourable gentleman's argument; and added, that the matter was of too much consequence to be left in ambiguity. Mr. *Fielde*.

Governor *Pownall* moved the previous question; in order, he said, to introduce a motion he had given notice of before. Gov. *Pownall*.

The House divided. For the previous question, 89; against it, 12.

Governor *Pownall*. He was somewhat experienced in this matter, as to the grounds on which the people of America give and grant their monies. He knew, he said, their jealousies on this subject, and how necessary it is to obviate all such. That he had therefore on this occasion, wherein the House are calling upon them to contribute, by their own grants, to the common burdens of the empire and to the common defence, very attentively watched the mode in which (in this particular case) the House would frame this business. That there may be nothing, not only to give real grounds of objection, but not even grounds of jealousy. He was, he said, very apprehensive lest when the House came to frame that part of the bill which requires the approbation of Parliament to the just proportion of the quota offered, it should act as referring to any principle which even seemed to imply, that no laws whereby grants of money are made to the crown, were compleat and had legal effect until the King and Parliament consented to them. All laws, unless such as are contrary to the laws of England, made by the assemblies, are compleat and have legal effect, unless *disallowed* by the King. But in grants of money, as a quota, towards the common defence, which grants like all others are made to the King, the King's acceptance, accompanied by his thanks, is the true

Governor
Pownall.

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mode of approbation, and I hope that the bill will be framed accordingly.

There was a second point in which he thought he could discern the seeds of jealousy; that was, the fixing the quantum or amount of the duty. To avoid all doubts and jealousies on this head, and to hold it out to the other colonies as an indisputable truth, that the House do not mean that the *amount* of any grant made by any house of representatives in America, must originate in the British House of Commons; it will, he hoped, be discriminately marked, by reciting in the bill that the naming the amount or rate of the duty, in this case is done, at and in consequence of the express reference and special desire of the house of representatives of Nova Scotia.

A third point will also require a scrupulous attention. He said, he had watched it with a jealous attention: and that is, that although the money granted for the common defence must lie at the disposal of the Supreme Power which hath the direction of the common defence; yet the *application of it to that defence only*, so as that it may never be perverted to other purposes, should lie with the grantors. If there be left the least doubt on this head, if this matter be not made clear in the tenor of the bill, whatever Great-Britain may get from Nova Scotia, it will never have a grant from any other province.

If these matters should ever be settled, there will still remain a doubt which must be cleared up. The people of America have got rooted in their hearts a jealousy, that when the Parliament have once carried the point of a fixed and permanent revenue for the support of the colony government, and a perpetual revenue for the common defence, assemblies will become useless, and that all intercourse between them and the crown, will be cut off. The house of representatives of Nova Scotia express this fear and jealousy, and it is the universal apprehension of the whole continent of America. A motion arising from a very accurate and proper attention, was made in the committee by an honourable friend of his, [Sir George Yonge] and had it been placed on such ground as suited the constitution both of the colonies and of Parliament, he would, as he then said, have seconded and supported it. It was not so framed. That something on that idea ought to be done, he was fully persuaded. He had therefore drawn up, under the form of an instruction to such committee

as shall be ordered to prepare and bring in the intended bill, the idea which he meant to propose to the House when that committee is appointed. "That they do by a proviso take care that nothing in that bill doth extend or be such as may be construed to extend in any manner to restrain the crown, when the exigencies of the state may require any further aids from the said province, from making requisitions thereto in the usual manner, as formerly practised; nor to restrain the people of the said province from giving and granting to his Majesty, by their representatives in assembly met, further aids on such requisition so made;" by which, as they properly say, they may have an opportunity of shewing their duty and attachment to his Majesty, and their sense of the service for which such requisition is made.

The first resolution being agreed to, when the second came to be reported, Sir George Yonge moved the following amendment. "That it appears to this House, that the granting the powers to the colony of Nova Scotia, of providing for the supply of the future exigencies of government, by the mode of requisition formerly used in America, was the condition on which the said colony did make the offer of granting the revenue in their petition expressed."

Mr. Burke seconded this motion. He said it was almost in vain to contend, for the country gentlemen had abandoned their duty, and placed an implicit confidence in the minister. But that should neither now nor hereafter prevent him from performing his duty; for, let the noble Lord be in or out of office, when the measures which he was hurrying the nation wildly and inconsiderately into, were fatally proved to be ruinous and destructive in their consequences to the most important interests of this country, his Lordship might depend on it, that he would be made responsible for measures he had carried into execution, under the sanction of such a confidence.

Mr. Fox spoke in favour of the amendment. He said, an opposition to it by administration, appeared to him scandalous and disgraceful. He was astonished how the House could follow and agree to such a solemn mockery of all Parliamentary order and decorum.

Sir Grey Cooper said, he was surprised that the gentlemen on the other side, when they were objecting to the resolutions, never said a syllable relative to the very dutiful expressions contained in the petition, in which they acknowledge the supremacy of the legislature of this country.

Mr.

Mr. *Anthony*
Bacon.

Mr. *Anthony Bacon* said, he could venture to speak with some confidence, as the matter concerned trade; and he was convinced a bill brought in pursuant to the resolutions now reported, would have the most salutary effects, both in point of revenue and commerce.

It passed in the negative.

Mr. *Burke.*

The second resolution being agreed to, Mr. *Burke* proposed the following amendment to the third resolution: "That although the terms of the resolution of this House, of the 27th of February 1775, relative to America, seem literally to require, that the offer therein mentioned should be made by the governor, council, and assembly, or general court of any province, the true intent and meaning of the same does not require any thing more, in order to be accepted by this House, than that the said offer be made by the house of representatives of such province; and also, though the said resolution seems to require, that the said offer should be a proportion, according to the condition, circumstances, and situation of such province, yet that the true meaning of the said resolution doth purport, that any duties which this House shall approve, will be accepted as a compliance with the said resolution, although no grounds for determining said proportion, be laid before this House; and also though the said resolution does seem literally to require, that the said provinces do make provision for the support of civil government, and the administration of justice in such province, the same doth not require, that any other provision for civil government should be made, than what such province hath been accustomed to make."

It passed in the negative.

Adjourned to December 1.

December 1.

Lord *North.*

Lord *North* moved for the second reading of the American prohibitory bill. He said, if there was any thing which carried an air of severity in the bill, it would be in the power of America herself to prevent its operation; for all that the people of any colony had to do, was, in any one instance, to own the legislative supremacy of Great Britain, as the parent and controlling state; or if unwilling to accede to any general declaration of that kind, to contribute of their own accord towards the support of government, as one of the parts of the empire entitled to the protection of the whole.

Hon.

A. 1775.

D E B A T E S.

237

Hon. *Thomas Walpole*. My sentiments have been so rarely delivered in this House, that some gentlemen consider me as one of those who have lately changed their opinions respecting America. Had I indeed formerly approved the measures of government towards the colonies, the ill success which has resulted and which is likely to result from them, would now convince me of the expediency of changing the system of our conduct. My sentiments, however, have been *confirmed, not altered*, by our late unsuccessful experiments in America; as I have constantly disapproved every act for imposing taxes on the colonies.

Respecting the bill now under consideration, I must oppose it, because of all our proceedings, this appears to me the most violent and impolitic. It begins with a formal indiscriminate declaration of war, against the inhabitants of thirteen colonies, and after authorizing a general seizure and confiscation of their effects, it concludes with a fallacious nugatory provision respecting the attainment of peace. Concerning the first of these objects, I must observe, that were it both justifiable and expedient to seize and confiscate the property of the colonists without discrimination, the time for doing it is *past*, and the measure become impracticable, by that total suspension of commerce which has now taken place in America. Twelve months ago, indeed, an attempt of this kind might have succeeded, but its success would have been ruinous to multitudes of British merchants, who were either immediately or remotely interested in the cargoes of all American vessels wherever dispersed, and especially of those laden with corn, which the Americans were honourably sending us in discharge of their debts, and which was necessary to preserve Europe from famine. The attempt was therefore wisely suspended, as indeed every other hostile measure ought to have been; since it is impossible for us to injure the colonies without suffering by the distress which we may occasion them. But if it was expedient to delay the seizure of American ships while they were in our power, it must be absurd to attempt it when the measure is no longer practicable, or at least when our only captures will be *privateers*, which a knowledge of this act will provoke the colonists to fit out, in order to distress our West India trade, and make reprisals for those depredations which we are now going to authorize; unless indeed the severe penalties of this bill should (as I think they will) induce the Americans

Americans to open their ports to the ships of other maritime powers, and invite foreigners to supply their wants; a proceeding which would compel us to seize the effects of the subjects of other states, and eventually involve us in a disastrous European war.

Respecting the concluding part of this bill, I cannot but think the provision which it makes for peace is very unsuitable and inadequate to the attainment of it. For the provision consists only of a power in certain circumstances, to grant particular pardons and exemptions from the penalties of this act. But will the offer of pardon satisfy men who acknowledge no crime, and who are conscious, not of *doing* but of *suffering wrong*? Or will the prospect of an exemption from commercial seizures, without the redress of any grievance, disarm those who have deliberately refused all commerce until their grievances shall be redressed? A noble Lord, who is now become the minister for America, has indeed told us, that nothing should be granted to the colonists until they shall have laid down their arms and made an unconditional submission to our claims. Very little however must his Lordship know of human nature, or of the people annexed to his department, if he thinks the motives which have induced them to associate, arm and fight in the defence of their supposed rights, will not forever prevent the return of peace, unless more adequate and just provisions be made for obtaining it.

The only benefit which has resulted from our unhappy contest with America, is, that by it we have been led to revert to the first principles of civil polity. After numerous struggles between the powers and opinions of contending parties, we all now agree in this fundamental truth; that civil government was instituted to benefit the *many* who *are governed* and not the *few* who *govern*; or, in other words, that its proper end is the preservation of *life, freedom, and property*; and of these, the latter has, under our constitution, been the object of peculiar care. Indeed the very nature of property, as it is constantly defined, requires that the proprietor alone should have a right to dispose of his *property*, and therefore it is that by the most solemn provisions of our government, the consent of those from whom money is wanted for national services, is made indispensably necessary. I have attentively considered the peculiar rights of this House respecting the imposition of taxes, and also the usual words, forms, and circumstances of our pecuniary grants,

grants, which of themselves sufficiently prove, that a right of granting away the property of our constituents, is totally distinct and different from a right of making laws to govern them. We are the only branch of the legislature that represents the people and property of Great Britain (the peers sitting by titles derived from the crown) and therefore a grant of this House in its *representative* capacity necessarily precedes the imposition of any tax on the people. This appears from the tenor of all the acts for raising supplies, which begin with reciting that "the Commons" alone, separately and distinctly, have first granted the rates, duties, and impositions; intended to be levied, and afterwards proceed to *enact*, by the joint authority of King, Lords, and Commons, that the sums which have been thus distinctly granted by the latter, shall be collected according to the intention of their several grants; and in the very same manner the legislative assent of Parliament was always required to authorize a collection of the subsidies formerly granted by the clergy in convocation; though yet without a previous grant from the clergy, no taxes were collected from them by authority of Parliament until the reign of Charles the Second, when they obtained a share in the national representation. And excepting the perplexity, which late sophistical fallacies may have occasioned on this subject, no privilege of our constitution was ever better ascertained, more generally understood, or more confidently believed, than the privilege which Englishmen for a long succession of ages have enjoyed, of being taxed only with their own consent, or that of their representatives. In virtue of this privilege, it was, that the unrepresented people of America refused to pay the taxes we have lately imposed on them; a refusal which has been followed by a series of intemperate and violent acts on our part, and by a loss of our former dominion over thirteen of the colonies on that continent. To recover the affection, the commerce, and the allegiance, of the people of these colonies, should be the end of all our endeavours. The measures which we have hitherto pursued for this end, have produced none but the most pernicious consequences; it is time therefore to profit by experience, to grow wise by misfortunes, and to try the effects of a different system of conduct. Enough, and I fear too much has been already attempted by irritation, by menace, and by violence; let these give way to milder proceedings; let us seek for peace, not by carrying war and desolation over the countries we would govern, not by destroying the sources of that com-

merce we would regain, not by exciting irreconcilable hatred in those whose affections we should reconcile, but by pursuing the dictates of reason, humanity, and justice, which are all repugnant to every part of the bill under consideration.

Mr. Cornwall.

Mr. Cornwall did not see how the dispute with America would be productive of a war with any European power. He imagined the reverse, because Spain in particular, feeling a similarity of situation and interest, instead of encouraging America in acts of disobedience to the parent state, would rather contribute every thing in her power to suppress a revolt, which, in example, might be fatal to her own interests in the new world. He observed, that great stress, he foresaw, would be laid on that part of the bill, which subjected all ships, merchandize, &c. which belonged to the people of America, or any persons whatever found trading to that country, to forfeiture and confiscation; but he supposed, if the present state of that country were only considered for an instant, the propriety of that part of the bill must be self-evident; for as the non-exportation and non-importation agreement had unconditionally taken place the 10th of September last, the inevitable consequence would be, that all trade being at an end between both countries, a communication would be open between America and the several maritime and commercial nations of Europe, particularly France and the United Provinces. He said, in the present state of things, however great our native strength and resources might be, such was the nature of a land war to be carried on in that distant part of the world, that we could never expect to succeed; therefore the present bill was necessary, as by restraining their maritime intercourse with other nations, it would completely cut off all their resources, and give Great Britain the advantage of exerting her strength on that element, where she never found an equal. He concluded, with asserting that the government of this empire was placed in the British Parliament; that of course, whatever the British Parliament, in its wisdom and justice decreed, was, to all intents, constructions, and purposes, binding upon every other part of the whole empire.

Mr. Dunning.

Mr. Dunning. Whatever doubts prevailed on the first day of the session, whether the speech from the throne predicted war or peace, no one could now be at a loss to know its genuine import. He was one who looked upon it, from the very beginning, to be a formal declaration of war against all America.

America. He was every day more and more satisfied that his suspicions were well founded ; but now he had nothing to prevent him from pronouncing with certainty, that he was fully justified in his opinion, that war, and a war of the most unrelenting and bloody complexion was meant to be made on those devoted people. He was tolerably versed in history, nor was he ignorant of the laws of his country ; but never, within the compass of his reading or knowledge, did he hear of such a rebellion as the present. Who, says he, are the rebels ? What are the principles they controvert ? Who is the Prince to whom they profess obedience ? But turning from those matters, which are only a fit subject for ridicule, do not the consequences promise to be serious ? Let us think only a minute of the manner we have been treated. How is it possible we can proceed an inch with any or the least degree of propriety, without the necessary information ? This, it is possible, may be a good bill ; it may be the only measure left us to adopt, which may be the means of bringing that country back to a proper sense of her duty ; but is there one gentleman in this House, even one honourable member on the treasury bench, who will rise and tell me, that his support to the present bill arises from his information, or will take upon himself to stake his general support of the bill upon information had, but not proper to be communicated to this House ? I am certain, bold and enterprising as many of them are, there is not one. I cannot sit down without saying a word or two relative to the manifest partiality administration has lately shewn to a neighbouring kingdom (Ireland) which used not to be in very high esteem. No longer tyrannized over and oppressed, she has suddenly become a favourite ; she has been lately told by the minister there, that she might have Hessians or Brunswickers, or she might have none ; and that they should be paid by this country on the present occasion. This sure is a happy change. Ireland may have foreigners ; she may have them for nothing ; and she is fairly told, she shall not have one without the consent of Parliament, and even if she should consent, she shall not pay a single shilling towards their maintenance or support. Great Britain shall have foreigners whether she will or not ; Ireland may have them if she pleases ; but even then Britain shall pay them.

Hon. Mr. *Fitzpatrick* complained of the conduct of administration, in keeping every thing secret ; it was very probable if administration could have kept it a secret, that the King's troops were defeated at Lexington in April, or that they suffered

Hon. Mr.
Fitzpatrick.

worse than a defeat at Bunker's Hill, we should have never heard of those two very mortifying occurrences; nor that an army of 10,000 men, with a most formidable train of artillery, and commanded by four generals of reputation, have been blocked up during the whole summer, by a body of people, who have been described in this House, ever since their names have been first mentioned, as a mere cowardly rabble. He was extremely sorry to find that the very framers of the bill, either understood so little about it, or chose to affect the grossest ignorance as to its true meaning; he could easily discern that the bill breathed nothing but war, and that not of an ordinary nature; for it was not a war that might be stifled or compromised by a mixture of assertion or concession, but made upon a principle of ruin to one of the parties, if not to both; in short, it was a war of mere revenge, not a war of justice.

Mr. Fox.

Mr. Fox enumerated the several contradictions and evasions of the minister, since the commencement of the present session, and contrasted these with his Lordship's declarations the preceding session. He observed on the doctrine of unconditional supremacy, that it went to this; Tax America to any amount, or in any manner you please; if she complains, punish her with pains and penalties of the most cruel and unrelenting nature; and if she resists such tyranny and barbarity, then sit down day after day in merciful deliberation on the most potent and expeditious way of starving or massacring the devoted victims.

Attorney General.

Attorney General [Mr. Thurloe] insisted no troops had been offered to Ireland, as asserted by his learned friend [Mr. Dunning] who, he feared, laid too much stress upon news-paper information. Even if the fact was so, this was not the proper time to debate it, nor could he perceive what kind of relation there was between the supposed offer made to Ireland, and the bill under consideration.

Mr. Burke.

Mr. Burke observed, that the present was a retrospective bill, for it inflicted punishments for acts thought innocent at the time they were committed, and legalized others which were acts of atrocious plunder and robbery. Our Saviour sent his apostles to teach and proclaim peace to all nations; but the political apostles, to be sent out by this bill, would be the harbingers of civil war, in all its most horrid and hideous forms, accompanied by fire, sword, and famine.

Right hon. Townshend.

Right Hon. T. Townshend was severe on the offensive minister; who said he was but a mere shadow of authority, all real

real power being lodged in the person of the honourable gentleman who sat next him, [Mr. Jenkinson.]

Mr. *Jenkinson* said he did not understand what such insinuations led to, if not to mislead the House; that he had always acted conformably to the spirit of the constitution, and defied his accusers to point out a single instance to the contrary. [Here some altercation happened]

Mr. *Rigby* to order. If gentlemen thought proper to rise to explain, it was always understood that they were to confine themselves to bare explanation, and not after speaking to the question, again enter into debate. He therefore appealed to the chair. He knew those kind of appeals were very disagreeable to the chair, and would hurt the Speaker to exercise a power so very contrary to his gentle disposition. [*a laugh.*]

Lord John Cavendish and Governor Johnstone spoke likewise to order.

Lord *George Cavendish* said, the manufactures were daily declining in almost every part of the kingdom, and the consequences of this bill must be dreadful, as he supposed before the end of the year it would throw above 40,000 hands out of employment.

Lord *Stanley*. He could not contradict the noble Lord's general information, but he could venture to affirm it was not the case in Lancashire.

Honourable *Temple Luttrell*. When the noble Lord, at the head of the treasury, first gave notice to the House of the bill now under consideration, he told us, it was his intention to repeal the three several acts, restrictive on the trade of New-England, and certain other colonies, as insufficient to the purpose he had in view. Now, if I have comprehended the noble Lord aright (and I have followed him with some attention throughout the whole of this unfortunate business) he has at different times professed to have in view two very distinct and contradictory purposes: the one to accelerate a peace, the other to continue the war with energy, and a profuse effusion of blood. If the noble Lord would repeal these iniquitous acts, and suspend all other hostile proceedings for the present, he may probably lay the ground-work of peace; but, if the noble Lord proceeds to a more diffuse and rigorous severity, he will put an end to every ray of hope that could be entertained of sincere or effectual conciliation. One hope, Sir, I will however still entertain, and which I am neither afraid nor ashamed to avow; it is, that the Americans may prove successful in the maintenance of their just rights.

rights. Sir, I heartily wish them success, for *their* sakes who have been grossly injured, and I wish it for *our own*. We have now before us a dreadful alternative: if the colonists gain the victory, we bid farewell to the most valuable branch of the commerce of Great-Britain, and we no longer hold that pre-eminent distinction, which the triumphs of the last war, and our superior form of government, gave us a just title to, among the powers of Europe: if, on the other hand, the ministerial army should come off with conquest, to judge by your northern addresses; by the accommodating temper of the military (so different from former times); and above all, to judge by the complexion of our present rulers; the liberties of England must inevitably fall a sacrifice on the American continent. But, Sir, I trust, the eyes of Great-Britain will open, ere it be too late, and that she will discover the dangerous precipice, on the brink of which she at this day stands. Sir, without any extraordinary talent of prophecy, I do venture to foretel, that if these violent measures of coercion be further persevered in, you will involve every district of the British dominions throughout the four quarters of the globe, in the various calamities and horrors of your unnatural civil war. Surely, Sir, the country-gentlemen, who are so frequently called upon from all sides of the House, now they are retiring into the country, must ponder, during the Christmas recess, on the mischiefs they have been accessory to, and will return to Parliament with sentiments of contrition, and such sentiments as have usually actuated that valuable body of Englishmen. Neither will I despair of seeing this Parliament, which has borrowed the name of the memorable *Coventry* parliament, and copied so many of its misdeeds, take from it the only *good* precedent it can afford (for I am not quite clear as to the measure of excluding lawyers). The *Coventry* parliament, in the fifth year of king Henry IV. (about the month of January) having granted to the crown very exorbitant and unjustifiable taxes, a very few weeks after, caused the record, containing that grant, to be committed to the flames, hoping by such expedient, to prevent their offence from being discovered to future generations. Let us, Sir, follow that bright example, and have all the American acts passed since 1763, whether relative to *unlimited* sovereignty, to famine, or to taxation, selected from your rolls, and put into the fire; and when you send commissioners over to Boston, with the olive branch of peace in one hand, I would have them, instead of the exterminating sword of war, carry in the other a *cinerary vase*, filled with
the

the ashes of those defunct parchments; to be a sacrifice at the tree of liberty, where they should be buried, and with them our mutual animosities, and every idea that might hereafter grow up to malice, reproach, or mistrust. Such a legation, and such credentials, would be worthy the wisdom and justice of the British legislature, and restore your empire to its former splendor and prosperity: but if the character of Herald be to predominate in this commission, there is not one leaf of the olive-branch will be accepted of in America, till you have riveted fetters on the last hand that has nerves able to resist you. I know, Sir, that, for a subject to resist the executive power of the government over that society of which he is a member, must be deemed an act of rebellion, unless such executive power shall have committed a prior act of rebellion against its creators---*the people*; for then it virtually lays itself under an interdict, and resistance is not only pardonable, but praiseworthy; it becomes the duty of every good citizen; therefore the glorious founders of the Revolution in 1688 were patriots, not rebels; and the foreign princes they brought over, and seated on the throne of England, in preference to all hereditary claims of succession, were legal sovereigns, and not usurpers. Sir, I shall repeatedly affirm, that the administrators of government in this country, were guilty of an heinous act of rebellion, when they sent fleets on fleets, and armies on armies, to America, to compel the colonists to admit of taxation. Three millions of people, three thousand miles distant, without one delegate in your legislative body, and so eccentric with respect to this island, as not to be possibly comprehended in virtual representation; occupying a territory of such magnitude, that were you to take from the map of it, the extent of the British isles, the defect would scarcely be visible to the most accurate eye. I say, Sir, *this* was rebellion against the fundamental constitution of Great-Britain, established on reason and the natural rights of mankind, from the earliest ages, confirmed century after century, and reign after reign; it was rebellion in the fullest sense of the word, against the unalienable rights of such an imperial mass of British freemen.

Such is my law; such I hold to be the law of common-sense, and (with all due deference to some gentlemen in very authoritative raiment over the way) such I understand to be the efficient law of the land.

As I mentioned the inelegibility of lawyers into the Coventry-parliament, and expressed my doubts upon the expediency of their exclusion, it may not be amiss, if I state to the House,

House, before I sit down, on what arguments that doubt was founded. Sir, I know there are many good and wise men of the respectable profession of the law among us, yet I see *two** very distinguished and leading characters of the long-robe, who, from what has fallen under my observation, since I have had the honour of a seat here, want frequently to be put in mind, that they are elected into the House of Commons as representatives of the subject, not as retainers of the crown; it may perhaps be their duty in a neighbouring hall, on every occasion, to advance the regal prerogative; but, Sir, when they enter these doors, would it not well befit them to act as unbiassed judges of the true interests of the people, and jealous guardians over their liberties? For, however, they may gain much professional applause in the inferiour courts of law, by the dexterity with which they can make their tongues recede from their reason, and delude their hearers; to prostitute the enlightened faculties of the mind, and use the like arts to mislead the grand inquest of the nation (upon points too that effect the vital principles of all good government) is both highly dangerous and highly criminal. Sir, I shall certainly give my vote to reject this bill; without entering into any of the articles. I abominate every principle on which the bill is founded.

Mr. Bayly.

Mr. Bayly said, he must tell those vociferous gentlemen, who were calling out in such a hurry for the question,† that he must first call on the noble Lord [lord North] for his estate which was going to be taken from him by this bill. He said, if all trade and intercourse were stopped between the West-Indies and North America, the plantations were at once ruined, as it was impossible to make either sugar or rum, or send it to this country without American supplies. That as soon as it was made lawful to take American vessels, he did not doubt but all the sugar ships would be made prizes of; for as they were obliged to come home by the coast of America, it would be easy for a petty officer of a man of war to say those ships were found hovering upon that coast, and that they had arms and gunpowder on board (which no merchant ship is without) and were going to supply the rebels with them: this pretence is sufficient to condemn them, so that every planter's property would be confiscated and shared amongst the favourites of the minister. He said, that proof had been given to the House, that the annual exports to North Ame-

* The attorney and solicitor-general.

† Several members had called for the question.

rica, before this fatal war broke out, amounted to three millions and a half, of which more than three-fourths were of our own manufactories, and that we got great profit from the other fourth, but that the whole of this exportation was lost, as also of 600,000*l.* exported in the same manner from Scotland. That the West Indies took more than one million one hundred thousand pounds annually of British manufactory, and four hundred and seventy thousand pounds worth of goods were annually exported to Africa, to carry on the West-India trade; all this added together, amounted to the amazing sum of near six millions sterling; and if this bill passed, the whole of this immense export would be stopped, and thereby so great a national benefit would be lost, besides the infinite advantages we reaped on our trade and imports from thence, and a million of nett money annually paid into the Exchequer. Therefore he begged and implored gentlemen would consider whether it was not madness in administration to risque so great a loss, and put the nation to so immense an expence of blood and treasure, in order to establish an arbitrary and an unjust right in America, as taxing them without their own consent, and which the minister confessed he never meant to make use of. Besides this, he would advise gentlemen to reflect, whether, as soon as commissions were given to one cruizer to take and make prizes of all vessels which were found on the coast of America with arms and ammunition on board, if this would not inevitably involve us in a war with France and Spain, as their ships and galleons all came home from their American colonies by the coast of America, and were well provided with arms and ammunition, which would give just the same pretence for seizing them as our own vessels; even the stopping and searching them may as reasonably be supposed to give as much offence to them as the Spaniards gave to us, when the war before the last was actually declared against the Spaniards, for no other reason than their stopping and searching our vessels in the West-Indies.

The bill being read a second time, agreeable to lord North's motion, it was moved to commit the bill for Tuesday the 5th. Upon which several gentlemen begged lord North to postpone it a few days, to give the West-India merchants and planters, who had advertised a meeting of their body on this bill for Wednesday the 6th, an opportunity of laying before the House any information or evidence they might judge necessary; it was moved therefore to amend the motion to Tuesday sevenight, the 12th. The House divided; for the amendment,

ment, 55; against it, 207. The main question was then put; the House divided again; for it, 155; against it, 24.

Adjourned to December 4.

December 4.

No debate.

December 5.

A petition of the merchants of Lancaster, was presented to the House, and read; setting forth, that the petitioners carry on a considerable trade to the British sugar colonies on their own accounts; whereby the manufactures of this kingdom are encouraged, and the revenue augmented; and that the petitioners are alarmed at the consequences which must happen to the said colonies, should the non-exportation agreement in North America be adhered to; from whence those colonies have hitherto been supplied with very large quantities of bread, flour, rice, Indian corn, live stock, and other provisions, also lumber and various other articles absolutely necessary and requisite for their sustenance and support; and that the petitioners are very apprehensive the present interruption of such supplies will greatly distress the said colonies, and be very prejudicial to their commerce with them; and therefore praying the House, to take into consideration the unhappy situation the sugar colonies must be in, while such supplies are withheld from them, and wherein their commerce may be involved, and grant such relief in the premises as to the House shall seem meet. Ordered, to lie upon the table.

Lord North. Lord North moved for the order of the day, to go into a committee on the bill for prohibiting all trade and intercourse with America.

Lord Folkestone. Lord Folkestone, in a short speech, observed, that the bill, in its present form, was the strangest heterogeneous mixture of war and conciliation imaginable. He said, that the disparity of numbers in the House of those inclined to war, and those who wished for peace, was very great, but nothing like the disparity in the clauses of the bill; that there were thirty-five clauses that aimed at desolation, and one only, a single one, that pretended to be pacific; that this mixture of hostility, and conciliation, in the same bill, could proceed from no motive, but a desire, either of confounding the attention, by the variety of the objects, and diverting it from observing the disparity of the various parts, or of precluding debate, by continuing the subject matter of two bills in one; that both these reasons were indecent, and unparliamentary. He animadverted on the immense powers conveyed by the bill, on it

it did not know whom, on it did not know how many or how few commissioners, or whether more than one, and observed, that they were left to act upon discretion; nay, without any rule to judge by, had power to suspend the act. That if he had no other reason for wishing the House to agree to the motion in this way, there at least would be a bill of peace to balance one that prescribes nothing but war, horror, and confiscation. His Lordship on these principles moved, that the bill be divided into two separate bills.

Mr. *Dempster* seconded him.

Mr. *Rice* opposed the motion, on the ground that the matter of the bill, and its substantial operation, would answer the ideas of the noble Lord as well in one bill as two.

Mr. *Dempster* then enlarged upon the bill itself, and said, he wished much for the motion, which he knew nothing of till it was made, not quite for the same reasons as had been given by the noble Lord, for he approved of that part which treated of the commissioners; for though he thought the powers too great, yet that great powers were undoubtedly necessary to the success of the commission; that it greatly distressed him in his vote, when he wished well to one part of a bill, and looked upon the other part with horror; and earnestly begged the motion might pass, as it would relieve him from great difficulties.

Mr. *Byng* observed, that the bringing in a bill of such importance as the present, looked as if administration brought the bill in at this season of the year, in order to avoid the opposition it would probably meet from the country gentlemen. The minister was well aware, he said, that the country gentlemen could not be kept in town this season of the year. He said, he begged to be understood what he meant by that description. What he meant by the description country gentlemen, was persons of landed property, of constitutional notions of independency, men who come into this House to do their duty; and he was sure a majority of these could never be prevailed on to countenance a measure of so despotic a complexion as this.

Sir *George Yonge* objected particularly to the dispensing power given to the commissioners, which he considered as lowering Parliament, and making it appear contemptible in the eyes of those upon the continent, who already entertained no very high idea of its free-agency, and who must be satisfied, that it would not voluntarily submit to such an indignity, and therefore was brought to submit to it by indirect means.

Lord North.

Lord North said, some were against the warlike part of the bill, others against the pacific or conciliatory part, but that the most extraordinary reason, with those who wished for peace, and supported this motion, was the dispensing power given by the pacific clause; for, said he, if the motion passes, the power of dispensing, will be of dispensing with the pacific, and not with the hostile, bill. He thought it fairer to declare against the bill *in toto*; that, he was sure, was the ultimate wish of those who wanted to divide it in two; and as such, he should strenuously oppose any motion of that tendency, and of course, would give his vote for having the bill remain in its present form.

Lord John Cavendish.

Lord George Cavendish spoke for the motion, as incapable of doing any harm, and gratifying some persons who disliked only part of the bill.

At five o'clock the question was put on lord Folkestone's motion; and the House divided; ayes, 34; noes, 76.

The House then went into the committee.

Sir George Hay.

Sir George Hay supported the first clause with great earnestness. He said, no man in his senses could doubt but that America was in rebellion; nor no man could doubt, that the present bill was to all intents and purposes perfectly justifiable and necessary. He entered into a comparative state of the nature of a war carried on against rebels and alien enemies, to shew that the latter should be treated with much greater lenity than the former. The latter owned no obedience, no duty, no gratitude, while the former, turning their back upon every moral as well as civil tie, to violence and lawless rapine added moral guilt, and the blackest of all earthly crimes.

Lord John Cavendish.

Lord John Cavendish said it was improbable, that the honourable gentleman had drawn up that part of the bill which measured out into such exact portions the several parts each admiral, captain, &c. was to share of the common spoils. But who, says his Lordship, are those spoils to be taken from? He will probably answer, from the rebellious Americans. Will the honourable gentleman venture to assert, that all America is in rebellion? Or, that after this bill is passed, will he venture to assert, that any one man, whether resident within the twelve united colonies or not, will be safe to trade, or even proceed two leagues to sea? No, it is plain that he has considered the bill only in one point of view, the captures, the forfeitures, and confiscations, the sharing of the prize money, and the final condemnation.

Sir

Sir *George Savile* was equally severe on the bill in all its parts. He said, the ministry, from a mere childish, sottish obstinacy, to hold their places, were at once risking their heads, and plunging the nation into certain ruin. He said, dead majorities, and thin houses, were matters very favourable and encouraging to the minister to persevere; but he assured the House, that the thread when drawn too fine would at length break; for however they might vote or divide within these walls, when our manufactures were ruined, our resources stopped or dried up, and that we were engaged in a French or Spanish war, majorities would avail the minister very little: no majority would avail in such a critical state of things, much less one already universally execrated and condemned, for its notorious venality, corruption, and blind submission to the mandates of a minister, who is himself confessed on all hands to be far from being popular.

Mr. *Attorney General* spoke with precision, acuteness, and judgment, upon commerce. He proved substantially, though not literally, that that government was in reality the mildest, which inflicted the most cruel and most frequent punishments.

Mr. *Fox*, in answer to what the learned gentleman had affirmed, that no man would be subjected to punishment, unless he were found guilty, replied, that it was better not to take the trouble of entering into any proof of innocence under this bill; because, whether innocent or guilty, the bloody complexion of it seemed to prejudge before trial, and condemn without proof.

Governor *Lyttelton* was for the clause.

Right honourable *T. Townshend*, in allusion to the long quotations of Sir *George Hay*, observed, that many learned quotations had been made by one learned gentleman, in the course of the evening, some Latin, some English, but all, or most at least, very little applicable to the present bill.

Honourable Mr. *Walpole* condemned the bill throughout, and predicted the commencement of the ruin of the British commerce and national greatness would be from the very day it should receive the royal assent.

Mr. *Burke* said, it was the first time he ever heard it asserted, either in print or in debate, within or without those walls, that open hostilities and rebellion were the same thing. He said, a day would come, perhaps its arrival was not far off, when the damnable doctrines of this bill would fall heavy on this country, as well as on those who first broached them, and were the means of carrying them into execution.

Mr.

Mr. Bayly. Mr. *Bayly* condemned the clause, and said the bill would affect his property very materially in the West-Indies.

Mr. St. Leger Douglas. Mr. *St. Leger Douglas* replied, he had a considerable estate in the West-Indies as well as the honourable gentleman; nevertheless, he thought the present bill a very wise and salutary measure. He knew, he said, that the West-India islands had lumber sufficient to serve them for one, if not two years; but if not, he was of opinion that it was better to suffer temporary inconveniences, than sacrifice the British empire in America to the local interests of any of its constituent parts.

Sir George Yonge. Sir *George Yonge* declared himself entirely against the bill; but at all events, he saw no objection its most sanguine friends could have to put off the committee for a day or two, or until the West-India merchants, who were, he understood, to present a petition, stating the manner they would be affected by it, were first heard; he therefore moved, that the chairman do now leave the chair.

And the question being put, the committee divided, ayes 34; noes 126.

Captain *Luttrell* offered a clause for excepting such foreign ships as might be drove upon the American coast, or into those harbours by distress. It passed in the negative. The clause for making the seizures the property of the captors was opposed by Mr. Walpole, Mr. Townshend, and Sir Edward Dering. They recommended the mode that was pursued in the year fifty-five; (*viz.*) to let the public have the benefit of the prizes, and not throw out such a lure to sea-officers, the younger part of whom would be so eager to seize every vessel for their own benefit, as might produce much future mischief, and, that bad as the bill would otherwise be, by this clause, it would be made ten times worse.

Capt. Luttrell. Captain *Luttrell* said, he had full as much objection to the bill in gross as any of his honourable friends near him, because he thought it replete with that barbarous coercion which destroyed every chance, that peace and reconciliation would again subsist between this country and our American colonies, but that he still thought of the present as he did of every act of Parliament, that, if it must pass into a law, (which he feared it would) there was no making it too perfect, nor carrying it too effectually into execution; and therefore he said, without much hope that he should be able to influence the opinion of any man, or a wish to mislead, he should endeavour to point out, as the several clauses were read, wherein they appeared to him insufficient to answer the ends for which they were apparently intended by the gentlemen in administration, with whom

whom he said in some particulars he concurred, uninfluenced by selfish views, having neither the merits to boast of the sea officers now employed in America, nor a wish to subject himself to the orders of the present first Lord of the admiralty; but he hoped, if in the sequel he should be thought to lean with partiality toward that corps to which he had the honour and pride to belong, that it would rather be attributed to a natural failing, than to a wish to misrepresent and deceive. He said that their most able advocate could not put so high a value on their services as Parliament had lately done by conferring upon them the most beneficial favour in the most flattering and honourable manner they ever received as a corps, and to that he believed the alacrity with which they served in America was in great measure owing. That considering themselves to be embarked in the cause of the British Parliament, they sacrificed their inclinations at least, if not their humanity, at the shrine of gratitude, by accepting the most hazardous, disagreeable, and unthankful employment the oldest of them ever experienced, or that he hoped, the youngest would ever be engaged in again. He said, he knew the *generosity* of Parliament towards them was deeply imprinted in their minds; *that* of the Minister and first Lord of the admiralty he saw with pleasure beginning to dawn, for, in the present instance, they seemed willing to sacrifice the interest of their dependants, to what he considered (and had not been convinced to the contrary by what fell from his honourable friends) was the just claim of the captors. That he was surprized gentlemen would wish to revert to that shameful precedent in the year 1755; when you made reprisals against France in a manner not less dishonourable than you are now about to do in America, but converted the produce of them, nominally indeed, to the use of the public (as gentlemen now propose) but in fact to the benefit of the minister's friends, stiled commissioners for prizes, who took possession of men of war as well as merchant ships, without giving the smallest reward even to the men who were maimed in battle, or to the friends of those that were slain. He said, he would never subscribe to an opinion, that revenue officers, commissioners for prizes, or any other set of men of whatsoever description or situation, were so well entitled to the seizures made under the authority of this act of Parliament, as those who had risked their lives and health in a service where no honour was to be got, and where the fatigue of body and anxiety of mind, he feared, would be but ill repaid by any profit they were likely to reap. He observed, that those

gentlemen who entertained liberal notions of honour, and were at all acquainted with the duty and temper of British officers and seamen, could never think seriously for a moment that they would sacrifice either to sordid views. If they had done so last war, he said, many of them might have become rich at the expence of the treasure of this country, but that he never knew the officer who did not seek with more diligence the privateers and ships of force of the enemy, which annoyed our trade, than for the merchantmen, although little but hard blows was to be got by the former, and much wealth by the latter. That he could not think so meanly of either service as to suppose any encouragement necessary to be held out to stimulate your forces by land or by sea to a faithful discharge of their duty; but if such reward as this would be the means of carrying any act of Parliament more effectually into execution, he thought it rather a reason why the seizures should be the property of the captors, than why they should not. He then replied to what had fallen from an honourable gentleman, who had insinuated that there could be no disinclination in the officers or seamen to serve in America, because he had learnt from the *first* naval authority (which the captain observed was not always the best) that we should be able to man all the fleet destined for the American service, without being put to the disagreeable necessity of pressing. He said it might be so, but insisted it did not follow that it was a service of choice; that we had lost our American trade, which had put a heavier embargo on our shipping than was ever done by any nation to equip the most formidable naval armament, and that the seamen being able to get no other employment, we of course procured them with more facility. He concluded by observing, that if France and Spain should, before the conclusion, of this dispute, declare war against us, it would be necessary to man a second fleet, to oppose those two great maritime powers, and which way that was to be done, whether with an impress or without, or by what other device, he wished the *first* naval authority might be able to tell, and only lamented he could not.

It being passed eleven o'clock the committee adjourned to to-morrow.

December 6.

The House resumed the adjourned committee of the preceding day.

Mr.

Mr. *Burke* condemned the great impropriety of the discretionary power given to the commissioners, by the last clause, of pardoning or refusing to accept of submission.

Mr. *Fielde* pursued the same idea, and said it was a power of such a nature, as ought not, on any account, to be trusted to any set of men in a free government. It was a power vested in the Sovereign on certain occasions, but still his ministers were looked upon as responsible to Parliament for the due exercise of it; whereas, by the present bill, that controul being given up, the commissioners would be left at liberty to commit every enormity human nature was capable of committing, with perfect impunity. Mr. Fielde.

Mr. *Bayly* against the clause; said it gave persons a power to rob him and the West-India merchants of their property; that the present ministry, not content with their places, and their monstrous, undeserved emoluments and douceurs of office, went to war, in order to fill the pockets of their friends and hungry dependants. Mr. Bayly.

Lord *North* said, he did not know he had done any thing which merited the honourable member's resentment, who spoke last, unless his displeasure was called forth on his refusing to let him vacate his seat last session, in order to enter again into contest with his antagonist. As the honourable gentleman said he was unjust, unmerciful, oppressive, &c. he supposed the whole charge might be well attributed to the refusal now alluded to. Lord North.

Sir *George Yonge* and Mr. *Freeman* also opposed the clause. Sir G. Yonge

Captain *Luttrell* supported it, declaring, much as he disliked the bill in gross, he would rather every other part of it should pass into a law, than that they should refuse to indemnify your officers, for carrying punctually into execution such positive orders, as they have received from their superior officers, or that have acted uprightly according to their conscience, and the best of their understandings. Where such orders have been discretionary, he said, in either of those cases, Parliament were bound in honour to protect them; but if any there were, who had exercised their power wantonly, cruelly, or arbitrary, he trusted they would be amenable, both to the martial and common law of this land. Captain *Luttrell* proposed several amendments to the act, which were accepted; the House agreeing, from the arguments he used, they would make the bill more perfect. The substance of these amendments were, that the vice-admiralty courts should have power to sell such part of the seizures, as were perishable commodities, by public sale, for the clear Captain Luttrell.

amount of which, only the captors should be answerable to the claimants, if the ships were discharged; that the parties appealing from the decisions of the vice-admiralty courts abroad, should give notice to the said court within six months after condemnation passed; that they had appealed in England, and then the money would not be shared abroad, till that time was elapsed: and to prevent any action being brought against the captors, for detaining vessels belonging to any persons, colony, or plantation, that had returned to their duty, without proof being made, that they had notice of the issuing a proclamation, as the act directs. These amendments being received, Captain Luttrell desired to be understood, that he did not mean to give his sanction to the bill passing into a law; but as of two evils he would chuse the least, so he preferred the bill in its present shape, to the shape in which it was first introduced; that he lamented, we were going to adopt intercourse by bill in America, in lieu of intercourse by commerce; that now, for the first moment, he believed we should make America an independent state; for after passing this act, he thought it impossible, there would be found, from one extremity of that great continent to the other, a man or boy, who from this peculiar mark of oppression, must not of course be the natural, and probably the avowed enemy, to the unjust and impolitic coercive exercise against them by Great-Britain.

*Sir Grey
Cooper.*

Sir Grey Cooper then offered a clause, in order to relieve the West-India islands, relative to lumber, &c. He said, if the clause did not go to the full extent wished for, it went as far as it could be properly carried, consistent with the tenor of the bill.

Mr. Bayly.

Mr. Bayly opposed the clause, as of no use; said the West-India merchants were expected with a petition to-morrow, and looked upon this defective clause, which imported nothing, to be insidiously foisted in, in order to defeat the intended petition. The clause was received, and the bill ordered to be reported to-morrow.

December 7.

Mr. Hartley.

Mr. Hartley. I must entreat the candour and patience of the House this day, as I feel myself under an unusual anxiety and agitation, not simply from bashfulness of speaking in public, or before this House, which has always been very indulgent to me, (more than I can deserve) but from the greatness of the object, in which, though a very private individual, I presume to interfere; an object, upon which not only the fate of our own times, but of all future ages,

both

both in this country and America will depend. Coming in this state of mind to the House, I confess that I received no slight additional shock, when I heard that this day is marked by one of the greatest losses that this country can sustain, in the death of a great naval commander, (Sir Charles Saunders) who has carried the empire of the British flag to the highest point of glory, a name well known to America, not only on our common element the ocean, but as an earnest and zealous friend to the constitutional and civil rights of America. Though an individual may feel the loss of a private friend in him, yet that is buried in the public loss. He was every man's friend. He was a friend to his country. And only for himself may his death be thought happy, in this at least, that he has not outlived the glories of his country, which was the anxiety of his latest hours; neither will his memory outlive its just and constant tribute of veneration and gratitude from every part of our dominions. Having discharged this poor personal tribute of respect and affection to his memory, and having entreated the candour of the House to myself, I will endeavour to explain the substance of the propositions which I shall offer to you to-day.

As there is nothing which I have so much at heart as to see some amicable termination of our unhappy disputes with America, I take the liberty of troubling you once more with some propositions of pacification, adapted, as nearly as I can judge, to the present state of things. When the obtaining a revenue was the professed object, as it was the only object professed last year, I then offered to the House, with great deference, my sentiments upon that subject, and drew up a plan for a letter of requisition, according to the accustomed and constitutional mode, and suited, as nearly as I could judge, to the nature of our connexion with the colonies. To this plan of contributing freely upon requisition America has again declared her assent, in the petition to the King, which I moved to have laid before you the other day. That petition has been ungraciously dismissed, without notice or answer, though it contains every thing that this country demands from America. There is supply upon requisition, if you will have it. No, says the noble Lord at the head of the treasury, we are ready to dispense with the consideration of supply, but our authority has been insulted. We must have satisfaction for that. Then say what satisfaction for the point of honour you would have;

for the petition to the King goes beforehand with your demands in that point too. They ask for no terms of reconciliation inconsistent with the dignity of this country. What can they say more? There is supply offered, if you will have it. There is satisfaction offered to your honour, if you will put them to the test.

Sir, as I take the ground of my propositions for pacification from the petition of the general congress to the King, which now lies upon your table, I beg that it may now be read. *

The

* It was read.

P E T I T I O N of the C O N G R E S S.

September 4th, 1775.

To the KING's Most Excellent MAJESTY.

Most gracious Sovereign,

WE your Majesty's faithful subjects of the colonies of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, the counties of Newcastle, Kent, and Sussex in Delaware, Maryland, Virginia, North and South Carolina, in behalf of ourselves and the inhabitants of these colonies, who have deputed us to represent them in general congress, entreat your Majesty's gracious attention to this our humble petition.

The union between our mother-country and these colonies, and the energy of mild and just government, produced benefits so remarkably important, and afforded such assurance of their permanency and increase, that the wonder and envy of other nations were excited, while they beheld Great Britain rising to a power the most extraordinary the world had ever known. Her rivals observing, that there was no probability of this happy connection being broken by civil dissensions, and apprehending its future effects, if left any longer undisturbed, resolved to prevent her receiving so continual and formidable an accession of wealth and strength, by checking the growth of these settlements, from which they were to be derived.

In the prosecution of this attempt, events so unfavourable to the design took place, that every friend to the interest of Great Britain and these colonies, entertained pleasing and reasonable expectations of seeing an additional force and extension immediately given to the operations of the union hitherto experienced by an enlargement of the dominions of the crown, and the removal of antient and war-like enemies to a greater distance.

At the conclusion, therefore, of the late war, the most glorious and advantageous that ever had been carried on by British arms, your loyal colonies, having contributed to its success by such repeated and strenuous exertions as frequently procured them the distinguished approbation of your Majesty, of the late King, and of Parliament, doubted not but that they should be permitted, with the rest of the empire, to share in the blessing of peace, and the emoluments of victory and conquest. While these recent and honourable acknowledgments of their merits remained on record in the journals and acts of that august legislature, the Parliament, undefaced by the imputation, or even the suspicion of any offence, they were alarmed by a new system of statutes and regulations, adopted for the administration of the colonies, that filled their minds with the most painful fears and jealousies; and, to their inexpressible astonishment, perceived the dangers of a foreign quarrel quickly succeeded by domestic dangers, in their judgment, of a more dreadful kind.

Nor were their anxieties alleviated by any tendency in this system to promote the welfare of the mother-country; for though its effects were more immediately felt by them, yet, its influence, appeared to be injurious to the commerce and prosperity of Great Britain.

We shall decline the ungrateful task of describing the irksome variety of artifices practised by many of your Majesty's ministers, the delusive pretences, fruitless terrors, and unavailing severities, which have from time to time been dealt out by them in their attempts to execute this impolitic plan, or of tracing through a series of years past, the progress of the unhappy differences between Great Britain and these colonies, which have flowed

The House having heard this most dutiful and affectionate petition to the King from their fellow-subjects in America, humbly supplicating his Majesty to become the mediator of peace between them and their parent state, I hope that this, added to all the remembrance of our former friendships; to all the ties of consanguinity, and derivation from one common stock, by which we claim a joint inheritance and equal right, to peace, liberty, and safety, will carry some favourable influence upon the heart of this House; and above all, I trust, that a compassionate fellow-feeling for the distresses of our American brethren, surrounded by all the horrors of war and desolation, added to the gloomy consideration that these evils may not be far from our own gates, will dispose this House to seek, with a willing mind, the restoration of peace, as the only means to prevent the further effusion of blood, and to avert those endless calamities, and those ruinous convulsions which threaten every part of these dominions. In these circumstances it should seem

flowed from this fatal source. Your Majesty's Ministers persevering in their measures and proceeding to open hostilities for enforcing them, have compelled us to arm in our own defence, and have engaged us in a controversy so peculiarly abhorrent from the affection of your still faithful colonists, that when we consider whom we must oppose in this contest, and if it continues, what may be the consequence; our own particular misfortunes are accounted by us only as parts of our distress.

Knowing to what violent resentments and incurable animosities civil discords are apt to exasperate and inflame the contending parties, we think ourselves required by indispensable obligations to Almighty God, to your Majesty, to our fellow subjects, and ourselves, immediately to use all the means in our power, not incompatible with our safety, for stopping the further effusion of blood, and for averting the impending calamities that threaten the British empire. Thus called upon to address your Majesty on affairs of such moment to America, and probably to all your dominions, we are earnestly desirous of performing this office with the utmost deference to your Majesty, and we therefore pray that your royal magnanimity and benevolence may make the most favourable constructions of our expressions on so uncommon an occasion.

Could we represent, in their full force, the sentiments which agitate the minds of us, your dutiful subjects, we are persuaded your Majesty would ascribe any seeming deviation from reverence, in our language, and even in our conduct, not to reprehensible intention, but to the impossibility of reconciling the usual appearances of respect with a just attention to our preservation against those artful and cruel enemies, who abuse your royal confidence and authority for the purpose of effecting our destruction.

Attached to your Majesty's person, family, and government, with all the devotion that principle and affection can inspire, connected with Great Britain by the strongest ties that can unite societies, and deploring every event that tends in any degree to weaken them, we solemnly assure your Majesty, that we not only most ardently desire the former harmony between her and these colonies may be restored, but that a concord may be established between them, upon so firm a basis, as to perpetuate its blessings, uninterrupted by any future dissensions to succeeding generations in both countries; and to transmit your Majesty's name to posterity, adorned with that signal and lasting glory that has attended the memory of those illustrious personages, whose virtues and abilities have extricated states from dangerous con-

seem well becoming the magnanimity and moderation of Parliament, to endeavour to point out some definite mode and terms of reconciliation, in compliance with the prayer of that petition, pursuing the same spirit of peace which breathes through every line of it, and as a merited return for that confidential and respectful deference, by which they refer implicitly to his Majesty's wisdom and justice the mode and terms of accommodation, declaring in the most unreserved manner, that notwithstanding all their sufferings, they retain too tender a regard for the kingdom from which they derive their origin, to request such a reconciliation as might in any manner be inconsistent with her dignity or welfare, and that his Majesty will find his faithful subjects in America, ready at all times, as they have ever been, with their lives and fortunes, to assert and maintain the rights and interests of his Majesty and of their mother-country. These are the united words of North America; and surely Sir, they contain every compliance and concession which can be demanded of them from this country.

convulsions, and by securing happiness to others, have erected the most noble and durable monuments to their own fame.

We beg leave further to assure your Majesty, that, notwithstanding the sufferings of your loyal colonists, during the course of the present controversy, our breasts retain too tender a regard for the kingdom from which we derive our origin, to request such a reconciliation, as might in any manner be inconsistent with *her dignity or her welfare*. These, related as we are to her, honour and duty as well as inclination, induce us to support and advance, and the apprehensions that now oppress our hearts, with unspeakable grief, being once removed, your Majesty will find your faithful subjects, on this continent, *ready and willing* at all times, as they have ever been, with their *lives and fortunes*, to *assert and maintain the rights and interests of your Majesty, and of our mother country*.

We therefore beseech your Majesty, that your royal authority and influence may be graciously interposed, to procure us relief from our afflicting fears and jealousies, occasioned by the system before-mentioned, and to settle peace throughout every part of your dominions, with all humility submitting to your Majesty's wise consideration, whether it

may not be expedient, for facilitating these important purposes, that your *Majesty be pleased to direct some mode by which the united applications of your faithful colonists to the throne*, in pursuance of their common councils, may be *improved into a happy and permanent reconciliation*: and that in the mean time measures be taken for preventing the further destruction of the lives of your Majesty's subjects, and that such statutes as more immediately distress any of your Majesty's colonies, be repealed. For, by such arrangements as your Majesty's wisdom can form, for collecting the united sense of your American people, we are convinced your Majesty would receive such satisfactory proofs of the disposition of the colonists towards their Sovereign and the parent-state, that the wished for opportunity would soon be restored to them, of evincing the sincerity of their professions, by *every testimony of devotion becoming the most dutiful subjects, and the most affectionate colonists*.

That your Majesty may enjoy a long and prosperous reign, and that your descendants may govern the dominions, with honour to themselves, and happiness to their subjects, is our sincere and fervent prayer.

JOHN HANCOCK.

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It is upon these grounds that the proposals, which will be referred to your consideration to-day, are constructed. As I made a proposal last year, for an accommodation of our unhappy disputes with America, upon the grounds on which they were then declared to stand by the noble Lord at the head of the treasury, viz. that of raising a substantial revenue, I could wish to add a supplemental word, and to endeavour to meet the difficulties in which we are now declared to be involved, upon the new ground which the noble Lord has this year taken, by his declaration, that revenue is not the present object, and that we would now make peace with America, without any other consideration, than a just and honourable reparation to our authority, for those affronts which it has sustained in the course of that resistance, to which the colonies have been so imprudently driven. The noble Lord's words, at the beginning of the session, were to this effect; Would to God, that all things were in the same state, in which they were in 1763; I will endeavour to join issue with him upon those terms; for though I think, that the ministry of this country have been at all times the aggressors, yet for the restoration of peace between the two nations, I think it not unreasonable to expect from America some concession to the national honour of this country. It must be acknowledged, injustice to the Americans, that they have offered beforehand, and of their own motion, to make any reasonable sacrifice to the national dignity. I shall take them at their word, and I think myself entitled, under their own declaration, to offer what, I hope, will appear to be no more than terms reasonable in themselves. This offer, from them, to make any reasonable concession to the national honour, is a full proof of their sincere desire for peace. The justice of this nation, on the other hand, I am sure, will not require of them any such concessions, for the sake of a treacherous peace, as may hereafter be inconsistent with their national liberty or safety.

I should naturally proceed to state the proposition of accommodation, but I must trespass upon the House for a few preliminary words on the subject of revenue; for notwithstanding the noble Lord's declaration in the beginning of the session, I find that a hankering after a revenue still lurks in our heart. You may have that revenue, if you will receive it in a constitutional way, otherwise than that, you never will, nor ever ought to have it. Even if you could make out your right to tax America, yet
justice,

justice, which is above all rights, requires that you should abandon that supposed right. It is the prerogative of the Commons of England to give and grant by their own representatives. The Commons of Ireland possess the same prerogative. The Commons of America have ever enjoyed the same. Had every thing been the direct contrary, that even the right of taxing unrepresented America had been undisputed, and the exercise customary and notorious; I contend, that when the oppression and grievances of unrepresented taxation had been laid before the Parliament, that it would have been their bounden duty to have rectified their constitutions to our own model. If we boast, that taxation by representation is the prerogative blessing of our own constitution, reason and justice demand that we should have given the same to every part of the empire; and that we should measure out to others, as we have measured out for ourselves, for reason and justice are above all human rights. That government which maintains its own self-interested claims upon its own subjects, contrary to the laws of reason and justice, is no better than specious tyranny. America asks no more than the continuance of those privileges which they have always enjoyed. They offer to this country their lives and fortunes, when the requisition is laid before them in the constitutional way. The same offers are very particularly expressed by the several colonies of New-York, New-Jersey, Philadelphia, and Virginia, in the course of their public declarations during the last summer; therefore, the readiness of all America to contribute their proper proportions in a constitutional way, is beyond dispute. It is the greatest injustice and traduction of the colonies to accuse them of backwardness to contribute, or not to give them the merit of their incessant offers for the future, whenever called upon in a constitutional way.

However, I shall not enlarge upon the doctrine of requisitions in contrast with compulsory taxation, but I shall leave that upon the footing on which I endeavoured to state it on the draught of a letter of requisition, in our debates of the last year; only remarking, that the introduction of requisitions in the time of peace is novel, and therefore must be expected to be attended with many consequential alterations in the constitutional connexion of the colonies with this country. I mean, upon the restrictions of their trade, which have hitherto been always accepted as an equivalent to pecuniary contributions. If we should put the colonies upon a new footing of money contribution, in the time of peace, there
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can be no doubt, but that this country will think them entitled to relaxations in trade, in proportion as they contribute. I have no doubt, but that in future times, we shall come to be convinced of the narrowness of that policy, which thinks to cherish trade by restrictions. We shall see many of these poor expedients, in the same light as we now view the little policy of queen Elizabeth's reign, about corporations, apprentices, poor laws, &c. Therefore, though I might not have been the first proposer of this new system of contribution to peace, requisitions, yet I think it promises to open a more liberal system than what we are attached to now. The intercourse of one common cause, in the common defence of the whole empire, may form a new and salutary connexion between Great Britain and her colonies, instead of that connexion by grievous restraints, which will become more galling, and appear more absurd every day. We shall have at least the choice of two modes of receiving their assistance, which we may exercise according to the discretion of the case, sometimes through the channel of trade, sometimes through supply; the option may easily be adjusted, without either strangulating the hand of industry, or closing the hand of contribution. Ireland, besides providing for its own internal establishment, provides annually for the common defence, a considerable number of men in the land service. America may contribute to our naval supply, being that part of the common concern which forms the common bond of connexion between us. Seamen, ships, or naval stores may be the contribution of America. Having said thus much upon the subject of requisition, in addition to what I offered last year, I will come to the main object of the motion, which I shall have the honour of offering to the House this day, of drawing out some line of accommodation, by which satisfaction can be made to the honour of this country, and that the colonies may be restored to their condition in 1763, according to the noble Lord's own proposal. If there be, on the part of administration, any sincere desire of peace, I will endeavour to join issue with the noble Lord, and to offer terms of accommodation, by which, if the ministry will consent to replace America to their state in 1763, I shall, on the other part, propose that America shall give full satisfaction to the point of honour, and I think myself authorized to engage for every thing that can in reason be required from the Americans, under that declaration in their petition to the King, that they do not even wish for reconciliation, not-

withstanding all their distresses, upon terms inconsistent with the dignity of Great-Britain. Taking my ground from this declaration, I shall propose a recognition, not in words, but in fact, which should effectually replace the authority of this country (be it more or less, without any invidious line drawn) where it was in 1763. The test, which I shall propose, will be the registering some act of parliament by the assembly of each province, supposing the act of parliament in view, to be formed upon principles of justice, and such as the colonies would have received with a silent and thankful compliance in 1763.

All recognitions in words being unavoidably both invidious and insidious, a test bringing no line of authority or obedience into question, would be the only safe proposition. The Americans shall be as they were in 1763, if they will likewise admit an act of test, such as they would not have had the least scruple to have admitted in 1763. Let us throw a veil over all the theoretical disputes of the rights of subjects, either as colonists, or as men at large; let us not discuss the rights reserved, or supposed to be reserved, at their emigration, whether tacitly or explicitly; let mutual concessions on both sides bring the two parties together; let the Americans be replaced where they were in 1763, if they will admit and register in their assemblies, such an act of parliament as they themselves shall confess that they would have admitted in 1763. It is not an unreasonable request to make to America, that they should treat an act of parliament, flowing from principles of general humanity and justice, with a different reception to what has been given to acts of grievance.

It is certainly dangerous to disturb questions of the rights and extent of empire or obedience, because, after that, even acts of acquiescence may be construed to involve hazardous concessions, supposed to be included in the principles which have been brought under contest. But in the state of human affairs, we must not always be too scrupulous. Something must be given up for peace. A civil war never comes too late. Let the Americans take their situation as it was in 1763, for better and for worse. In the present miserable prospect of things, that is a fair and equitable bargain. The object of the act of parliament to be proposed to America, may be perhaps in the event the abolition, but at present can only be considered as the first step to correct a vice, which has spread through the continent of North America, contrary to the laws of God and man, and to the fundamental principles of

of the British constitution. That vice is slavery. It would be infinitely absurd to send over to America an act to abolish slavery at one word, because however repugnant the practice may be to the laws of morality or policy, yet to expel an evil which has spread so far, and which has been suffered for such a length of time, requires information of facts and circumstances, and the greatest discretion to root it out; and moreover, the necessary length of settling such a point, would defeat the end of its being proposed as an act of compromise to settle the present troubles; therefore the act to be proposed to America, as an auspicious beginning to lay the first stone of universal liberty to mankind, should be what no American could hesitate an instant to comply with. viz. That every slave in North America should be entitled to his trial by jury in all criminal cases. America cannot refuse to accept and to enroll such an act as this, and thereby to re-establish peace and harmony with the parent state. Let us all be re-united in this, as a foundation to extirpate slavery from the face of the earth. Let those who seek justice and liberty for themselves, give that justice and liberty to their fellow-creatures. With respect to the idea of putting a final period to slavery in North America, it should seem best, that when this country had led the way by the act for jury, that each colony, knowing their own peculiar circumstances, should undertake the work in the most practicable way, and that they should endeavour to establish some system, by which slavery should be in a certain term of years abolished. Let the only contention henceforward between Great Britain and America be, which shall exceed the other in zeal for establishing the fundamental rights of liberty to all mankind.

Sir, before I make my motions I will just give you a breviae of them in the order in which I shall offer them to the House. They speak for themselves. The first is for a suspension of arms during the treaty of pacification, for how can men deliberate with the bayonet at the breast? How can they treat with freedom while their towns are sacked, when daily instances of injustice and oppression disturb the slower operations of reason.----The second is to restore the right of electing an assembly and council to the colony of Massachusetts Bay, whose charter you have confiscated. As I wish to act the part of a mediator, to soften matters between irritated parties, and not to require any concessions that might even be thought too humiliating, I

have been very cautious in this second motion. Thinking as I do, that this country (I should say the ministry of this country) has been the aggressor in every thing; I might move for a total repeal of the charter act, but instead of that, I simply ask for no more than is absolutely necessary to proceed by mutual concessions, by putting the proscribed colony into a capacity of reconciliation. Give them an assembly and council, and when they have registered the act for jury to slaves, let not only the charter act be *ipso facto* repealed, but all other acts since 1763.---These are my third and fourth motions.---Let there be no ambiguity; let every thing be definite. When your authority is replaced as it was in 1763; let the colonies likewise be replaced as they were in 1763 without equivocation or abatement. I propose to you fair and equitable terms, as a dispassionate mediator. If I required of you to repeal and rescind every act unconditionally, I might be thought a partizan and not a mediator, but in every thing that is consistent with justice I would wish most scrupulously to consult the dignity of this country. The part of a mediator between a parent-state and its colonies, is to afford to the one an honourable occasion of exerting its justice and generosity, and to restore to the other the wished for opportunity of evincing the sincerity of their professions by every testimony of devotion becoming the most dutiful subjects, and the most affectionate colonists. Could I but hope that you would allow a plan of mutual concession and pacification to proceed thus far, who would not run foremost in an act of oblivion? It would be the blessed olive branch of peace, and a festival of commemoration to our latest posterity.---As to my last motion, for requisitions, it is to the same intent with the draught of a letter of requisition which I had the honour of offering to the House last year, and which, if they had accepted, (instead of the noble Lord's compulsory proposition) all might have been peace now; for the Americans have again assured his Majesty in their petition, which is now before you, that whenever requisitions are made in the accustomed and constitutional way, that they will be ready and willing, as they ever have been, with their lives and fortunes, to assert and maintain the interests of his Majesty and of their mother-country. I have put it in order, as the last resolution to take away every idea of constraint, and to reinstate the commons of America in the inestimable privilege of freely giving

giving and granting their own property as the commons of Great Britain and of Ireland do, and as the Americans have always hitherto done. They never have been reluctant to contribute their full proportion to the common defence in a constitutional way.

This, Sir, is the substance of my propositions. I hope the plan may be thought definite, satisfactory, and practicable. It will be a test of sincerity to both sides.---The objects of the plan are, to support the dignity of Great Britain as the parent state, to afford redress of grievances to America, to restore peace to this distracted empire, and to re-unite its common interests and exertions into one common cause.

He moved,

“ That an address be presented to his Majesty, humbly setting forth, that his Majesty’s subjects in North America, having, in the most dutiful manner, laid their grievances before his Majesty, and having humbly besought the gracious interposition of his royal authority and influence to procure them relief from their afflicting fears and jealousies, and having in the most earnest terms declared their attachment to his person, family, and government, with all the devotion that principle and affection can inspire; and having solemnly assured his Majesty, that connected with Great Britain by the strongest ties that can unite societies, and deploring every event that tends in any degree to weaken them, they not only most ardently desire that the former harmony may be restored between them, but that a concord may be established upon so firm a basis, as to perpetuate its blessings, uninterrupted by any future dissensions, to succeeding generations in both countries; and having farther assured his Majesty, that notwithstanding their sufferings, during the course of the present controversy, their breasts retain too tender a regard for the kingdom from which they derive their origin, to request such a reconciliation as might in any manner be inconsistent with her dignity or her welfare; and that the apprehensions which now oppress their hearts with unspeakable grief being once removed, his Majesty will find his faithful subjects in America, ready and willing at all times, as they ever have been, with their lives and fortunes, to assert and maintain the rights and interests of his Majesty, and of their mother-country; and having, with all humility, submitted to his Majesty’s wise consideration, whether it may not be expedient that his Majesty be pleased to direct some mode, by which the united application of his colonists may be

be improved into a happy and permanent reconciliation, his faithful Commons humbly beg leave to represent, that however well disposed his Majesty's subjects in America may be, according to their most earnest professions to return to their former obedience and constitutional dependance, yet that the horrors of war and bloodshed raging in their country, must drive them to distraction and despair; and further, his faithful Commons beg leave to recommend it to his Majesty's parental consideration, that a return to their duty, of their own free mind and voluntary compliance, would insure a more cordial and permanent reconciliation, than any reluctant submission, which, through much bloodshed of his Majesty's subjects, could be enforced by the sword; therefore most humbly to beseech his Majesty, that he will be graciously pleased to give orders for putting a stop to the further prosecution of hostilities in America, thereby to prevent the further destruction of the lives of his Majesty's subjects, and to afford the wished for opportunity to his colonists, of evincing the sincerity of their professions, by every testimony of devotion becoming the most dutiful subjects, and the most affectionate colonists.

Sir George
Savile.

Sir George Savile seconded the motion, which he said, he not only approved, but was ambitious of seconding. After a short exordium, to this effect he went on. I rise, Sir, under difficulties common to me, and to all who speak from this side the House; but then they are collateral and adventitious difficulties. If we urge that we have been unjust; we are answered that that matter has been long since decided. If we state that nothing is to be got even by victory; we have the same answer. If we argue that our measures are impracticable, and that success is beyond our power; the House will not endure to hear the power of this country called in question. He is a friend to rebellion who dares hesitate concerning the comparative force of the contending parties. Or, if I should touch on the topic of lightening the chains of slavery in America, recommended by my honourable friend, a learned gentleman will perhaps tell me that I am not a Whig; for that Whigs were ever fond of despotism. But I spoke guardedly when I said that these were collateral and adventitious difficulties only; for, on the naked matter itself, were a bye-stander to judge, it should seem that the harder task would be to point out or create the difficulties. For what is the case? I ask the gentlemen on the other side of the House, what are their wishes? I am answered "Would to God we were in the situation

tuation of the year 1763." I ask the colonies. I am answered, "Would to God we were in the situation of the year 1763." I know well that there are various senses in which this phrase may be understood. Oh! Sir, there is indeed one sense in which, God knows, we cannot be restored to the situation of 1763. Who will restore to this country the blood that has been shed? Who will restore those gallant men to their country; whose lives have been lavished, and spent, and mis-spent in the fatal contest? Who will make good to me my share in a Howe, a Clinton, a Burgoyne, whose fate is now standing on a die? These sentiments, Sir, have long pressed upon my mind, but I did not feel the weight of them till this day: four hours ago I felt not half their force. Men's value is not known till they are lost; four hours ago this country had a man, his country has him no more. One of your members, Sir: a member is perhaps soon replaced. But where shall we find his fellow, who, having in his vigour carried your arms in glory to the extent of your empire (that empire the ocean) when called upon by his country in the dregs of life, with a constitution worn down in your service, urged on and goaded his tottering limbs, with hobbling haste and feeble alacrity, to climb the well known steps of the ship's side to meet your enemy.

I trust, Sir, the House will not think me guilty of an uncomely tautology if I have said a word or two on a subject already touched by my honourable friend. No, Sir, let it rather be an order of your House that for one day at least, while the memory and the gratitude yet remain, none shall speak without paying his just tribute, to that respectable, that gallant, that honest public man.

But, Sir, I beg your pardon, and I return to state that I am constrained to allow, that the repealing of bills, recalling troops, undoing every act, is not virtually and effectually bringing things back into the same situation as if they had never been done; and I acknowledge too that some test may now be wanted on the part of the colonies to balance our acts of generous conciliation. Shall this test be in words? Their words you will not take. You are sure they aim at independence, because they disavow it. You are sure they will not give on requisition, for they say they will. Oh! but you have better proofs. You have a certainty they will not, for they always have. They have always done it, they have over-done it. And in truth this is the kind of proof we have been used to; we are well broke in, and we bear it. The satisfactory earnest
this

this House accepted, of our future success, was, that we had hitherto miscarried. The proof that we are now sure to direct our force wisely, was that we have hitherto blundered most egregiously. The House has paid due regard to these arguments, and we have voted as we were desired. We have adopted the logic, and the precedent applies to the case before us.

Well then, it is allowed, their words are not to be taken. Their former loyalty to this country shall not pass for any thing but proof of their future disobedience. Allowed, my friend's propositions meets you then on that ground. He looks for an actual, fresh test of living obedience; an enrolling a British act of Parliament; to which I hope it will not be a capital objection that it is not oppressive, that it is not unreasonable; and has morality, humanity, and the rights of a part of mankind, for its object and foundation. I second the motion of my honourable friend.

Ld. North. Lord *North* said a few words relative to the unseasonableness of the motion, till a bill of such vast extent as the prohibitory bill going through the House, was first tried.

Mr. Burke. Mr. *Burke*. That the very reason assigned why the present motion should not be agreed to, was the best reason for agreeing to it; for, if the bill, and the measures and principles which gave birth to it had not made their way into Parliament, there would be no occasion for the present motion.

Lord John Cavendish. Lord *John Cavendish* spoke in favour of the motion, but said he despaired of success, as the ministry, supported by a majority, were determined to push matters to the utmost extremity.

Lord Mayor. The *Lord Mayor* [Mr. Sawbridge] said, it had been very fashionable both within and without doors, to stigmatise the Americans as cowards and paltrons, but he believed, the truth would be found on the other side; for he was well informed, that the King's troops at the action of Bunker's-Hill consisted of 2500 men, and the provincials not quite 1500, and even them 1500 would have compleatly defeated the King's troops, if their ammunition had not been totally spent.

Ld. North. Lord *North* said, he was but an indifferent judge of military operations; but by the best accounts he could obtain, the provincials were at least three to one, and were besides very strongly entrenched. Even by a Gazette published under their own immediate authority, in the list of the killed and wounded, it appeared that nineteen regiments had suffered, which was a proof that so many were present, and that computing

putting them at 500 men a regiment, and making the usual allowances, there could not be less than 8000 provincials that day defending the lines at Bunker's-Hill.

Governor *Johnstone* observed, that the Noble Lord laid great stress on the advantage the provincials had over the King's troops, by being so well posted, and defended by trenches and breast-works. But he must draw a very different conclusion, as he thought the assailants had the advantage; and he was not singular in his opinion, for one of the greatest Generals Europe ever beheld [Marshall Saxe] had, in his reveries on the art of war, expressed himself of the same opinion. At all events, there was something fatal to the Noble Lord's arguments either way, for either the works were weak, and therefore the provincials defended them bravely, or being strong, it shewed what a dangerous enemy they must be, who could raise, and so judiciously construct such works, from eleven o'clock at night, on a summer's evening, till day-break the next morning.

Colonel *Morris* observed, that accounts, he believed, were exaggerated on both sides; for by the best intelligence he was able to obtain, and he thought he could depend upon it, the provincials entrenched on Bunker's-Hill, and engaged on the 17th of June, were about 5000 Men, which was in the proportion fully of two to one. The question being put, the House divided. For the motion 21; against it 123.

Mr. *Hartley* then made the following motions.

That leave be given to bring in a bill to empower the inhabitants of the province of Massachusetts-Bay, to elect an assembly and council, in the manner directed by the charter granted to the inhabitants of that province, by their Majesties king William and queen Mary, bearing date the seventh day of October, in the third year of their reign. It passed in the negative.

That leave be given to bring in a bill to establish the right of trial by jury in all criminal cases, to all slaves in North-America; and to annul all laws in any province repugnant thereto, and to require the registering of the same by the respective assemblies of each colony in North-America. It passed in the negative.

That leave be given to bring in a bill to establish a permanent reconciliation between Great-Britain and its dependencies in North-America, and to restore his Majesty's subjects in North-America to that happy and free condition, and to that peace and prosperity which they enjoyed in their constitutional

tional dependence on Great-Britain before the present unhappy troubles, viz. as in 1763. It passed in the negative.

That leave be given to bring in a bill for a free pardon, indemnity, and oblivion. It passed in the negative.

That an humble address be presented to his Majesty, to lay the opinion of this House before his Majesty, that it may be proper when the present unhappy disputes in North-America shall be brought to an amicable termination, that his Majesty should be graciously pleased to give orders, that letters of requisition be written in the accustomed manner to the several provinces of his Majesty's colonies and plantations in North-America, to make provision for the purposes of protecting, defending, and securing the said colonies and plantations. It passed in the negative.

A petition from the West-India planters and merchants of London trading to the sugar colonies, was presented by Mr. Oliver, setting forth, "That the petitioners having, upon a former occasion, stated and laid before the House, with all the accuracy and precision of which they were capable, the worth and value of his Majesty's sugar colonies in the West-Indies, their national magnitude, and importance to Great-Britain, their situation as depending upon their sister colonies in North-America for the maintenance of property and support of life, the petitioners fears and apprehensions of dangers and distress arising out of the unhappy disputes subsisting between Great-Britain and America, they firmly trusted, if conciliation did not render it unnecessary, that these substantial motives would have made them the objects of the consideration and attention of the House; and that, in the midst of the flattering expectation that application might meet a forward disposition in the House to relieve, the petitioners hopes are at once blasted and cut off, by the bringing in of a bill to prohibit all trade and intercourse with the colonies of New Hampshire, Massachusetts-Bay, Rhode Island, Connecticut, New-York, New Jersey, Pennsylvania, the three lower counties on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia; and that, when the American congress adopted their non-importation and non-exportation resolve, the fears naturally arising to the petitioners from thence, were somewhat abated by a reliance, on the petitioners parts, of a relaxation on theirs, at least with regard to the petitioners; but lest, happily for the petitioners, this event might succeed, the present bill not only deprives the petitioners of the probability, but establishes the impossibility
likewise;

likewise; and therefore praying, that, upon this ground, the petitioners may be allowed to be heard at the bar, by their agents and counsel, against the said bill; relying on the wisdom, goodness, justice, and mercy, of the House, not only for special relief in this instance, but for such further assistance as the House can give."

Ordered to lie upon the table, until the report of the committee upon the prohibitory bill is received.

December 8.

Scotch militia bill presented and read a first time, and ordered to be read a second time on the 5th of February 1776.

The order of the day for receiving the report on the American prohibitory bill.

Council called in and heard, in support of the petition from the West-India planters and merchants against the bill.

The examinations of George Walker and John Ellis, esqrs. were read. [*See Volume I. page 327.*]

It was moved to postpone the further consideration of the report till the 23d of January, 1776.

Lord *North* moved, that the report, with the amendments made by the committee, be now read a second time.

Right hon. *T. Townshend* condemned this mode of hurrying on the national business; it was disgraceful to Parliament; it offended against every rule of decency. It was injurious to the nation at large, and it fully verified, what had often before been asserted and lamented, that our laws were become the mere edicts of the council table, or rather the dark machinations of a desperate cabal of ministers, and not the laws of free, deliberative assemblies, uninfluenced by any other consideration, but the good of the kingdom. He said, he hoped, however flushed with victory the minister might be, for form's sake at least, he would consent to put off the present report till after the Christmas recess; besides he recommended to his Lordship's consideration seriously to reflect how fatal it might be, if the measure, which he seemed so eager to carry, should fail; and think in time, that suppose, in the pride and exultation of majorities, he should despise his opponents ever so much, in what manner he could face his friends, if compelled to meet them at the commencement of the next, as he did at the present session, with the doleful tidings, that he was again deceived.

Sir *George Hay* spoke of the admiralty courts, and their immediate connection with the civil law, and the near affinity
Right hon. *T. Townshend.*
Sir *George Hay.*
this

this bill bore to both, as one of their genuine offspring. He said it was the wisest and most salutary measure that had been hitherto devised for compelling the rebellious Americans to return to their duty. He observed, that they might beat our army, but they could not beat our navy; for, he hoped, nay, he was confident, the latter was powerful enough to cope with the combined force of all Europe.

Mr. Serj.
Adair.

Mr. *Serjeant Adair* replied. He said, he made no doubt but the present bill bore a much nearer affinity to the civil law than to the common law of England; the former was the parent of tyranny, despotism, and arbitrary power, and no person who attended in the least to the present bill, but must see at the first glance that it was a compound of them all, and consequently, like its parent, the very reverse to the laws of England, and totally repugnant to the glorious constitution which gave them birth. He said, without pretending to the gift of prophecy, he might venture to foretell, that the bill now under consideration, would bring destruction on this country; and, applying to the noble Lord in the blue ribbon, asked him, if he was so misled or mistaken, as to imagine that 120 or 200 servile associates would be a sufficient protection to him in the hour of trial, when the nation, finding itself ruined, would rise almost as one man, to avenge themselves on the guilty authors and advisers of such destructive measures.

Sir Richard
Sutton.

Sir *Richard Sutton* said, that this country had numerous channels for its trade and commerce, and great consumptions within itself; but America had neither. Their rice, tobacco, corn, lumber, indico, &c. must go to other markets; he therefore thought the bill the most effectual means to restore the people of that country to their senses.

Gov. John-
stone.

Governor Johnstone opposed hurrying the bill on in such a shameful, disgraceful manner, which he said, was one of the most oppressive and tyrannic measures that could possibly enter into the mind of man to conceive. He observed, that you might put the Americans to the torture, you might starve, proscribe, or do any thing which malice or despotism could suggest, but you would never prevail upon them to consent to taxation.

Mr. Fox.

Mr. *Fox*. I have always said, that the war carrying on against the Americans is unjust, that it is *non tanti*, that it is not practicable; but admitting it to be a just war, that it is *tanti*, that it is practicable, I say, that the means made use of, are by no means such as will obtain the end. I shall confine my self singly to this ground, and shew that this bill,
like

like every other measure, proves the want of policy, the folly and madness, of the present set of ministers. I was in great hopes, that they had seen their error, and had given over to coerce, and to carry on war against America by means of acts of parliament. In order to induce the Americans to submit to your legislature, you pass laws against them, cruel and tyrannical in the extreme. If they complain of one law, your answer to their complaint, is to pass another more rigorous and severe than the former: but they are in rebellion, you say; if they are, treat them as rebels are wont to be treated. Send out your fleets and armies against them, and subdue them; but let them have no reason to complain of your laws. Shew them, that your laws are mild, are just, and equitable, that they therefore are in the wrong, and deserve the punishment they meet with. The very contrary of this has been your wretched policy. I have ever understood it as a first principle, that in rebellion you punish the individuals, but spare the country; in a war against the enemy, you spare individuals, and lay waste the country. This last has been invariably your conduct against America. I suggested this to you, when the Boston port bill passed. I advised you to find out the offending persons, and to punish them; but what did you do instead of this? You laid the whole town of Boston under terrible contribution, punishing the innocent with the guilty. You answer, that you could not come at the guilty. This very answer, shews how unfit, and how unable you are, to govern America. If you are forced to punish the innocent to come at the guilty, your government there, is, and ought to be at an end. But by the bill now before us, you not only punish those innocent persons who are unfortunately mixed with the guilty in North America, but punish and starve whole islands of unoffending people, unconnected with, and separated from them. Hitherto the Americans have separated the right of taxation from your legislative authority; although they have denied the former, they have acknowledged the latter. This bill will make them deny the one as well as the other. What signifies, say they, your giving up the right of taxation, if you are to enforce your legislative authority in the manner you do. This legislative authority so enforced, will at any time coerce taxation, and take from us whatever you think fit to demand. It is a bill which should be entitled, a bill for carrying more effectually into execution the resolves of the congress.

Lord *North* said, he had not a wish, nor the most distant Ld. *North*,
intention of distressing the inhabitants, or hurting the trade
of

of the sugar colonies. Nothing could be further from his thoughts. If therefore any of the provisions of the present bill should affect the West-India planters, he was sorry for it. It was much to be lamented; but as things were now circumstanced, he feared it was not to be avoided. In civil convulsions of this kind, it was plain, that many must suffer; it was a necessary consequence of such a state of things; but still, if the measure was a good one, or the best on the whole that could be devised, it must be taken with all its consequences. Parliament have thought fit to adopt it, and till they think proper to alter their opinion, it is absurd to object that this body of men, that island, or such and such places, will feel the temporary effects of it; but (says his Lordship) I will venture to contend, that till it is made manifest, that the inconveniences complained of, are shewn to be sufficient to outweigh the general interest we have in preserving the dependency of America on this country, every argument maintained on the ground of temporary or local inconvenience, must be nugatory and absurd.

Mr. Burke.

Mr. *Burke* said, the noble Lord's argument came fairly to this; first, determine on your measure, bring it, or to use the noble Lord's usual words, propose it or submit it to Parliament; and if any one offers to reason, enquire, or ask questions concerning its propriety, let the adviser, or proposer, or submitter, rise, and very gravely assure his auditors, that all such enquiries, reasons, questions, or objections, are totally nugatory and absurd; for we are not come to argue on it, the measure itself being already determined on. This, according to my poor idea, is a new kind of logic. It is, however, very compendious, very well calculated for expediting public business; and every way worthy of its noble author and teacher.

Ld. George
Germaine.

Lord *George Germaine* contended, that the Americans sought and brought the troubles on themselves, by resisting the laws and authority of this country. The gentlemen on the other side say, why did not the government of Massachusetts bay discover the first rioters at Boston and punish them, and let the matter rest there? I will tell them why. Because the council refused to co-operate, or act with governor Hutchinson on that occasion, who did every thing in his power to persuade them. Whatever may be urged against this bill, and its advisers, it is, in my opinion, the readiest and surest way to make the Americans submit to the supremacy of this country, and return to their duty; for as soon as any province submits, its ports will be opened, and its trade and commerce

commerce from that moment restored. Whenever peace shall be restored, if I have been in the least instrumental in effecting so desirable an end, I shall feel the greatest pleasure and happiness from it. And whatever ill-natured interpretation may have been put on my conduct, I can with great truth and justice assure the House, that I never sought nor asked for the office I now have the honour to fill, nor wished for it, further than I flattered myself I might be serviceable to my country. I was in a situation which could leave me no temptation to seek emoluments: my fortune had put me above such a wish. His Lordship, after proceeding to enumerate some other circumstances, to shew that he took the public part he did, purely from disinterested motives, adverted to something which had fallen in the course of the debate, relative to one Walker, who, he said, had promoted disturbances in Canada. He informed the House, that the governor had notice given him of Walker's intrigues, and had sent to seize him; that he defended himself, and had wounded some of the soldiers that attacked his house; that this having enraged the soldiery, they set fire to it, and took himself and family prisoners; and that he was now in irons. On the whole, that what the governor had done was no more than his duty; and had he acted otherwise, it would have been a breach of it. He added, that by the arguments used by the opponents of the bill, they seemed desirous to protract the war; but for his part, he was of opinion, that this bill, backed by the naval and military armaments that would be sent out to enforce it, would be the best means to shorten it; and as there was nothing for which he so ardently wished, as to see the present disputes speedily terminated, he would give the present motion his hearty assent.

Mr. Bayly (being interrupted by the call for *the question*, the Mr. Bayly. *question*) said the friends of the bill were determined to hear nothing against it. The noise continuing, the question was put on Lord North's motion, and the House divided; for it 143; against it 38.

Mr. Dempster moved, that James Delancey, esq. of New York, do attend this House on Monday morning next. It ^{ster.} passed in the negative.

Mr. Burke then made the two following motions.

Mr. Burke.

That it is necessary and proper to come to a resolution, that evidence concerning the state of America, the temper of the people there, and the probable operations of an act now depending, is unnecessary to this House; this House being already

already sufficiently acquainted with those matters. It passed in the negative.

That an humble address be presented to his Majesty, that he will be pleased to give orders, that there be laid before this House such advices as may enable this House to judge of the present state and condition of his Majesty's loyal and dutiful province of Georgia. It passed in the negative.

Governor
Johnstone

Governor *Johnstone* moved, that an humble address be presented to his Majesty, that he will be graciously pleased to order to be laid before this House such advices as may enable this House to judge of the present state and condition of his Majesty's loyal and dutiful province of Georgia, in North America. It passed in the negative.

Adjourned to December II.

December II.

Governor
Johnstone.

Governor *Johnstone* said, that no proofs of the delinquency of the province of Georgia having yet been laid before that House, he made the following motion:

That no evidence had been produced to the House, that any persons in the province of Georgia have set themselves in open rebellion and defiance to the just and legal authority of the King and Parliament, have assembled together an armed force, engaged his Majesty's troops, attacked his forts, and prohibited all trade and commerce with this kingdom.—He observed, in support of his motion, that Cato and Socrates in Athens and Rome, stood alone to oppose venal and corrupt majorities. Those celebrated commonwealths, in their decline, were what Britain is at present. Luxury, venality, public prostitution, and a total disregard to the interests of their country, prevailed. Majorities then, as well as now, were procured by the most base and scandalous means. Those majorities were composed of the most worthless and profligate individuals of the community; of gladiators, pimps, sharpers, parasites, and buffoons. Every man in Rome and Athens almost had his price; and if any thing remained unsold, it was only for want of a purchaser. The few who retained any sense of honour were reviled or despised. Their opposition was attributed to factious or interested motives, or they were treated as men acting under the influence of delusion and ideal perfection, and misled by impracticable schemes of policy and legislature. It was the misfortune of the times, that they both fell a sacrifice to the malice of their enemies; but it was still a greater misfortune, that neither of them were survived by the liberties of their country. Cato and the Roman commonwealth perished

perished together; the liberties of Athens were no more, when Socrates fell a victim to the rage of his merciless persecutors. He then turned to the question, and observed, that the loyal colony of Georgia was now entered in the black catalogue. It was marked out for destruction, as well as the province of Massachusetts's bay; the latter, for defending their liberties, which were immediately invaded; the former, because they disapproved of the inhuman measure of condemning people unheard and untried.

Mr. J. *Johnstone* seconded the motion, and said, he be-^{Mr. J. Johnstone}lieved it was the first time it was ever heard or known, that a whole province was proscribed, without some imputation of guilt. Most of the other colonies had done something, which, according to the language current of that House, might be construed into resistance, or a preparation for it; but in the case of Georgia, it had not been even urged in debate, much less proved, that they had committed a single act, which the most willing, ingenious, most expecting, or best paid lawyer in the House, could sketch even so far as a misdemeanor. And what would be the certain consequence of the present bill? But that a whole province was to be proscribed, its trade ruined, and its inhabitants declared rebels, and compelled to submit to tyranny, or consent to be starved.

Lord *North* said, he had no objection to have evidence exa-^{Lord North}mined, either to prove the delinquency, or the innocence, loyalty and obedience, of the province of Georgia, but that he presumed, the witnesses meant to be moved for, were the West-India merchants, who probably would think themselves interested in the event of the examination, and who, besides, could not possibly be sufficiently acquainted with the present state of the colony, to give the House the necessary information. His Lordship observed, though Georgia was not actually in arms, or in a state of open rebellion, it was nevertheless well known, that they acted in conjunction with the other colonies, and there could not be a more decisive proof of their disposition, and the part they meant to take, than their having sent delegates to the continental congress.

Mr. *Dempster* animadverted very severely on the doctrine maintained by the Noble Lord, that of prejudging, and on that prejudgment, proceeding to inflict punishment. He said, such a conduct was much more horrible in its consequence, and more repugnant to the general established ideas of justice, than any thing yet imputed to that bloody tribunal

the inquisition, for even the inquisitor proceeded on information, heard the culprit in his own justification, attended to the proofs, and pronounced his sentence according to certain stated rules, established by the inventors of this mock judicature. Says he, you have drawn the colonies into the dilemma of taking up arms, or of submitting to be slaves, and then, with all possible moderation and candour, desire them to lay down their arms, and you will hear their complaints. This was the language of Charles the first to his Parliament, and of every other tyrant, from William the Conqueror to this day.

Mr. Pownal. Mr. *Pownal* (secretary to the board of trade) gave a detail of the different proofs the Georgians had given of a rebellious disposition. He observed, that in honour to his Majesty, two days before his last birth-day, viz. on the 2d of June last, they threw the cannon of one of the forts in the province, into the river. That they forcibly entered the powder magazine, and plundered it of every ounce of its contents. Their own news-papers were full of accounts of these exploits. If any other proof was thought requisite, the last resolution of their committee must be sufficient to convince the most unbelieving, for they had voted 10,000*l.* towards what they called the common cause, which, in his opinion, shewed plainly that they were in earnest.

Mr. Burke. Mr. *Burke* said, this was the first time he ever heard newspaper information made a foundation for any solemn proceedings in that House, except an odd time, when the gentlemen of the quill made free with the noble Lord who sat on the treasury bench, and a few of his chosen friends in both Houses. He said, he sometimes frequented a coffee-house near the House, and he had a right to say, that the master of it was extremely negligent of his duty, for he never laid any of those hostile papers the honourable gentleman mentioned before him; yet on recollection, he could not help thinking that this House, and not coffee-houses; would be the fittest place to look for information; but he was sorry to say, that this House was one of the last in the island he would look for, or expect any kind of information whatever. On the whole, he was sorry to perceive so sudden an alteration in the honourable gentleman, for he remembered when the honourable gentleman in office, was not a member, no man, he thought, was clearer, nor none readier to communicate, in the most candid manner, every intelligence that was proper, or consistent with

with his situation. For that reason, says he, I fear there is something infectious in the air of this House. This gentleman, who not long since was intelligence itself, seems to have been at once emptied, and instead of drawing from his usual source, is suddenly obliged to draw his most important information from news-papers.

The question being put, the motion passed in the negative, without a division.

The order of the day for the third reading the American prohibitory bill. A very short conversation whether the third reading should not be put off till after Christmas. The bill was read.

Mr. Bayly. I am well convinced there never entered this door before, a bill fraught with such injustice and cruelty as the present. In order to wreck the revenge of a vindictive ministry on the Americans, you are now going to ruin all the plantations in the West-India islands, and to give their present produce up for plunder to your sailors, before the inhabitants can have any notice of your intentions. And by this infamous trick you think you shall be able to man your fleet without giving any bounties to your seamen, which I much doubt if you'll find answer after all; yet the attempt is so very base and wicked, that I defy any one to mention such an instance even amongst the most savage nations, where a minister ever dared to give up such a number of innocent persons to plunder, without the least crime being laid to their charge.

Sir, I have several times, during the progress of this bill, taken the liberty to tell the House, that before the congress had shut up the American ports, (which was the 10th of September last) a great number of their vessels sailed for the West-Indies, chiefly in ballast, where the planters are now loading them under the sanction of our acts of navigation, never suspecting that we are this day capable of making a law which is to entrap them, by enacting that unless American vessels came to them loaded with lumber or provisions, and obtained a certificate of it to bring with them to Great-Britain or Ireland, with a particular description of their cargoes then on board, that the planter's property was to be seized and made lawful prize of, although they could not possibly know of any such stipulations; therefore, Sir, I frequently urged how unjust it would be, not to give the inhabitants of those islands timely notice of your design before you subjected

their goods to forfeiture. I now again Sir, have a clause in my hand to offer for this purpose, and if it be not accepted all mankind will agree in seeing the intention of this bill in the same light that I do. But, Sir, the noble Lord at the head of the treasury insinuates, that no injury is meant by this bill to any of the proprietors of West-India estates, if that was really the case, his Lordship could have no objection to such a clause; but what serves to convince me more than any bare professions is, that no one will accept the 1000 guineas * that I have declared myself ready to give, to whoever will indemnify my property that is now at sea from being seized, until I can send information to my managers in Jamaica to forbear shipping any more on American vessels. Sir, I think it an infamous robbery to have my property taken from me without having infringed any law whatever, and without giving me time to guard against such laws as you are making. Although the loss I may sustain on this occasion may not much affect me, I know many of the inhabitants of the West India islands will be ruined by it, having the greatest part of what they are worth in the world on board American ships now on their passage to this kingdom, and which is now out of their power to remedy. And notwithstanding they are insured against the risque of the seas, and even pirates, yet I am sorry to say that after escaping all these, their ruin is inevitable, from rapacious and unprincipled ministers; however, I hope a time will soon come when they will be brought to answer for thus sporting with men's lives and property, and for so grossly deceiving his Majesty, and using their utmost endeavours to drive the inhabitants of every part of his dominions into resistance, in order to get commissions for their dependants, and to fill their own pockets with the havock and spoils of war.

Mr. Brett. Mr. Brett also offered a clause to enlarge the time for the commencement of the forfeitures. But it passed in the negative.

Mr. Dempster. Mr. Dempster read some extracts from letters he had received during the summer, which tended to show that coercive measures would never either frighten or otherwise induce the Americans to enter into any treaty of compromise with this country; on the contrary, that they would risk every

* Neither the clause nor the offer were accepted.

thing, and suffer every thing, before they would be compelled by force of arms to submit. He observed on the general contents of these letters, that the Americans, like true Englishmen, were too generous to refuse to contribute to pay their share or proportion towards the public burdens; and like them too, were too high-spirited and too high-minded to agree to any concession, of which unconditional submission, which in effect was the true definition of slavery, was to be the basis.

The question was put, that the bill do pass. The House divided, ayes 112; noes 16.

December 12.

Private business.

Adjourned to December the 20th.

December 20.

No debate.

December 21.

A message from the Lords, acquainting the House with the amendments they had made in the American prohibiting bill.

Sir Grey Cooper moved, that the said amendments be now taken into consideration. Sir Grey Cooper.

Mr. Hartley. Sir, upon this pause which is offered to you by the return of this bill from the Lords, I confess that I feel a kind of superstition to wish for one last word to deprecate the fatal blow, and that our unremitted opposition and remonstrance from the first to the very last stage of this bill may remain as a memorial, that some of us, at least, lament this final separation of America with an affectionate regret. We are overpowered by members, and all our entreaties and remonstrances are in vain. An inflexible majority in Parliament have now declared all America to be an independent hostile state. Disputes originally between administration and America, are become, by the influence of administration, the ground of a parliamentary war with America. The sense of the nation is not with that war, and I trust it never will be. However speaking in Parliament to ministers as they seem determined to drive all things to extremities, I must ask whether you are to expect that while you burn their towns, take or destroy their ships and property, they will sit with their arms folded, or whether they will not be driven to repell injury

jury by injury. You have found their active powers of defence by the experience of the last year, when by your orders the shedding of the first civil blood was precipitated on the fatal 19th of April, before your pretended conciliatory motion could be proposed to any of the American assemblies? Why were you found unguarded in Canada? You have lost all Canada. Two regiments are taken prisoners. Your officers are hostages, and yet you proceed in this unjust and unnatural war, with fire, sword, and rapine. What farther hostages may fall into their hands at Boston, or what blood of our fellow subjects may be shed there, I contemplate with horror. I dread some fatal event there. Public report threatens. When the provincials shall hear the fate of their late and last petition, and when they see all prospect of peace become desperate, what can you expect but that they should exert every power to destroy your land forces in America during the severity of the winter, before you can support or relieve them. Who will be answerable for these things. When this bill of rapine which now lies before you gets to them, they will set themselves to retaliate upon your fleet. Your land force has been disgraced and annihilated in the first campaign notwithstanding all your boastings, are we not then to expect that those ministers of vengeance who shall press on a naval war with America, shall be responsible to their country, for the consequences of their headstrong and wilful measures, if the navy of this country should be brought to disgrace and defeat. Weigh the consequences. If you send large ships they will not be able to act, if small ones may they not be overpowered. Consider the distance of your operations. Every port in America will be a Dunkirk to you. We know their skill and bravery as privateers in the last war. In any case you are laying the foundation of an hostile marine in America, which has been and ought to be the source of the marine of Great-Britain. I cannot be an adviser or a well-wisher to any of the vindictive operations of the administration against America, because I think the cause unjust; but at the same time I must be equally earnest to secure British property and interests from destruction; neither a victory of Great-Britain over America nor of America over Great-Britain can afford to us any matter of triumph. Both are equally destructive. If nothing can abate your fury against the Americans in this ministerial war, we shall expect at least that you should guard our own vulnerable parts. Are you guarded at Newfoundland?

Are

Are you prepared against any expedition of retaliation if the provincials should meditate any thing to the destruction of your fisheries there? Administration have been the aggressors in every thing, step by step. By this fatal bill of separation you now declare the Americans to be enemies in form, therefore it is yourselves that force upon them the rights of enemies. You must now be responsible to your country for the events of your own war, to which they have been so reluctant and you so precipitate. When this country shall come to open its eyes, to see and to feel the consequences, they will know of whom to require an account. Sir, I shall now move you, instead of agreeing to the amendments of the Lords, to adjourn the consideration of them for six months; I confess with very little hopes of averting this bill, but as I told you at my out-set, from a superstitious feeling in my mind, to perform the last ceremonial office of affection and everlasting farewell to peace, and to America. The fate of America is cast. You may bruise its heel but you cannot crush its head. It will revive again. The new world is before them. Liberty is theirs. They have possession of a free government, their birth-right and inheritance, derived to them from their parent state, which the hand of violence cannot wrest from them. If you will cast them off, my last wish is to them; may they go and prosper. When the final period of this once happy country shall overtake ourselves, either through tumult or tyranny, may another Phoenix rise out of our ashes.

Sir *Joseph Mawbey* seconded the motion. He spoke chiefly to the means employed by the ministers, their tools, and partizans, to obtain addresses to the throne. He observed, that every nerve had been strained to procure those paltry addresses, from every remote, obscure, indigent place, that had the name of a corporation, from one end of the kingdom to the other; that in other places, where the objection of poverty did not hold good, the most infamous and scandalous methods had been adopted. In some, no county meetings were called, to take the sense of the freeholders; in others, a few profligate and corrupt magistrates, under the influence of some silly Lordling, some court sycophant, or servile Jack in office, assembled in private rooms: or if in the usual place for holding such meetings, locked themselves in, and excluded all the wealthy, respectable, and independent citizens or townsmen, and then fabricated the most fulsome, adulatory and shameful addresses. Those they had the effrontery to carry to the foot of the throne,

throne, as the genuine sentiments of the people; though nothing could be more false, for they belied the wishes as well as prevailing opinions of the very constituent bodies whose public acts they were pretended to be: and thus the Prince was deceived, the nation dishonoured, and its interests sacrificed, to the deep and dangerous machinations of a desperate faction. Addresses were hawked about from parish to parish, from house to house; promises, threats, and various means equally unjustifiable were employed. The most abject and abandoned, who were neither entitled by property, or franchise, were hired to give a sanction to those iniquitous proceedings. He then turned his attention to what he called the barbarous warfare, carrying on against the inhabitants of the North-American sea-coasts; and termed it an hellish policy of making war upon old men, women, children, and other innocent and defenceless persons.

Mr. Bayly. Mr. *Bayly* insisted on the injuries sustained by the West-India islands. He said, he was well informed, nay he was fully convinced, that the inhabitants of those islands must be starved; and though they should not, their crops must be lost, as they had not nearly lumber enough to save the present; that such being the case, the proprietors must be ruined, and the consequences would in the end reach the merchants, so as, he feared, to bring on a general bankruptcy among those in any manner concerned or interested in the West-India trade.

Gov. Johnstone. Governor *Johnstone* observed, that this bill, in its passage through this House, relative to the point mentioned by the honourable gentleman who spoke last, was solely defended by administration on the ground that provisions might be had from the Floridas, and flour and lumber from Quebec; that both those resources were known already to have no existence. For the Floridas had not provisions sufficient to support the few inhabitants; and no supply could be expected from Quebec of any kind. For probably, by this time, we were not in possession of a foot of land in that province. From whence, he asked, is the supply of either lumber or provisions to come? This, he said, was a matter of deep and weighty consideration. He remarked, with severity, on those who caused from time to time very shameful misrepresentations of facts to be published in the Gazette, the only paper published by authority. He quoted several instances since the commencement of hostilities in America, in proof of this assertion. He said, the

the London Gazette, which ought to be held sacred, and nothing be permitted to appear in it that did not bear the stamp of truth, as the paper itself was stamped with authority; that this rule had been notoriously violated of late, for when the worst accounts from America were to be expected, we were sure to behold some false fabricated account in the Gazette, of our pretended success, of which the instance of the last Gazette was the most glaring, where a pompous account of our successes in Canada was set forth and published, not four and twenty hours before advices arrived, that General Carleton was beaten, and St. John's, the key of the whole province, taken.

The amendments were then severally read and agreed to, and Sir Grey Cooper ordered to go to the Lords and acquaint them therewith.

Adjourned to January 25, 1776.

January 25, 1776.

No debate.

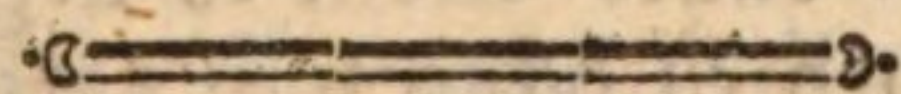
January 26.

Not members sufficient for a ballot to try a contested election.

January 27.

The same.

Adjourned to January 29.



Translation of a Treaty between his Majesty and the reigning Duke of Brunswick.

Signed at Brunswick, the 9th of January, 1776.

BE it known unto all whom it does or may concern, that his Majesty, the king of Great-Britain, having judged proper to propose to his most serene highness the duke of Brunswick and Lunenburg, the cession of a body of his troops, to be employed in the service of Great-Britain, and his most serene highness having yielded with zeal and readiness to his Majesty's views, the high-contracting parties have given orders for this purpose to their respective ministers; that is to say, his Britannic majesty to colonel William Faucitt,

VOL. III.

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captain

captain of the guards; and the most serene duke of Brunswick and Lunenburg, to the privy councillor de Feronce, who, after the exchange of their full powers, have agreed upon the following articles.

ART. I. The Most Serene Duke of Brunswick yields to his Britannic Majesty a corps of infantry of his troops, of three thousand nine hundred and sixty-four men, which corps shall be entirely at the disposition of the King, as well in Europe as in America.

ART. II. His Most Serene Highness also yields to his Britannic Majesty, a body of light cavalry of three hundred and thirty-six men, but as his Britannic Majesty will not have occasion for the horses of this corps, the said corps shall serve as a corps of infantry; and if the service requires them to be mounted, his Majesty engages to do it at his own expence.

ART. III. The Most Serene Duke engages to equip completely both these corps, except the horses for the light cavalry; his Most Serene Highness will keep in readiness for marching, towards the 15th of February next at farthest, the first division of this corps, consisting of two thousand two hundred and eighty-two men, in such manner, that this first division shall arrive, towards the 25th of February, at the place of embarkation, to be agreed upon between the respective ministers; as to the second division of the said body of troops, amounting to two thousand eighteen men, his Most Serene Highness will cause them to begin their march in the last week of the month of March at farthest; these two corps shall pass in review at the place of their embarkation, before his Britannic Majesty's commissary; and in order to prevent desertion in their march, his Britannic Majesty will cause the most precise orders to be given in his electoral dominions, that all necessary measures be taken to stop every deserter from this body of troops, and to convey them, without delay, to the place of embarkation, there to join their regiments. His Britannic Majesty will cause directions to be given to the governors or commandants of places, bailiffs, and others, to execute these orders with the same exactness as is observed with regard to his Majesty's electoral troops.

ART. IV. This body of infantry and of light cavalry, shall be composed of five regiments, and of two battallions, according to the lists annexed to the present treaty; the officer's servants on the said lists shall be furnished with arms, and every necessary equipment as soldiers, they shall do service

vice like them, if occasion requires it, and shall be paid as such.

ART. V. The Most Serene Duke engages to furnish the recruits that may be annually necessary for this corps; these recruits shall be delivered, after a previous notice of four months, to his Britannic Majesty's commissary, disciplined and equipped; the said recruits shall arrive at the place of their embarkation at the time that shall be agreed upon before the opening of each campaign.

ART. VI. The King's service, and the preservation of the troops, requiring equally, that the commanding officers and subalterns should be expert persons, his Most Serene Highness will take proper care in the choice of them.

ART. VII. The Most Serene Duke engages to put this corps on the best footing possible; and none shall be admitted into it but persons proper for campaign service, and acknowledged as such by his Britannic Majesty's commissary.

ART. VIII. This corps shall be furnished with tents, and all necessary equipage.

ART. IX. The King grants to this corps the ordinary and extraordinary pay, as well as all advantages in forage, provision, &c. &c. enjoyed by the royal troops; and the Most Serene Duke engages to let this corps enjoy all the emoluments of pay, that his Britannic majesty allows them; the sick and wounded of the said corps shall be taken care of in the hospitals, and at the expence of the King, as the troops of his Britannic Majesty; the wounded, not in a condition to serve, shall be transported into Europe, at the expence of the King, and landed in a port on the Elbe or the Weser; as to what regards the body of light cavalry, they shall be put on the foot of the British light cavalry, when they are dismounted; but they shall have the same pay, as well ordinary as extraordinary, as the light horse of his Majesty, from the day that they shall serve on horseback.

ART. X. There shall be paid to his Most Serene Highness, under the title of levy-money, for each foot-soldier, or trooper not mounted, thirty crowns banco, the crown reckoned at fifty-three sols of Holland, and reckoned at four shillings nine pence three farthings; one third of this levy money shall be paid a month after the signature of the treaty, and the two other thirds shall be paid two months after the signature; the payment of this levy money shall be made; nevertheless, on condition, that thirty crowns banco shall

be retained for each soldier of the said corps, who without cause of sickness shall be absent on the day when they pass in review before his Britannic Majesty's commissary; which thirty crowns banco shall, however, be paid as soon as the absent soldiers shall join their respective corps.

ART. XI. According to custom, three wounded men shall be reckoned as one killed; a man killed shall be paid for at the rate of levy-money; if it shall happen, that any of the regiments, battalions, or companies of this corps, should suffer a loss altogether extraordinary, either in a battle, a siege, or by an uncommon contagious malady, or by the loss of any transport vessel in the voyage to America, his Britannic Majesty will make good, in the most equitable manner, the loss of the officer or soldier, and will be at the expence of the necessary recruits, to re-establish the corps that shall have suffered this extraordinary loss.

ART. XII. The Most Serene Duke reserves to himself the nomination to the vacant employments, as also the administration of justice; moreover, his Britannic majesty will cause orders to be given to the commander of the army, in which this corps shall serve, not to exact of this corps any extraordinary services, or such as are beyond their proportion with the rest of the army; this corps shall take the oath of fidelity to his Britannic Majesty, without prejudice to the oath which they have taken to their Sovereign.

ART. XIII. Towards defraying the extraordinary expences, which the hasty equipment of this body of troops occasions, his Britannic Majesty grants two months pay, previous to the March of the said troops, and from the time the troops shall have quitted their quarters, in order to repair to the place of their destination, all the expences of their march and transport, shall be at the charge of his Britannic Majesty.

ART. XIV. His Britannic Majesty grants to his Most Serene Highness an annual subsidy, which shall be regulated in the manner following: it shall commence from the day of the signature of the present treaty, and shall be single, that is to say, of the amount of sixty-four thousand five hundred German crowns, as long as these troops shall enjoy the pay; from the time the pay shall cease, the subsidy shall be double, that is to say, of one hundred twenty-nine thousand German crowns. This double subsidy shall be continued during two years after the return of the said troops into his Most Serene Highness's dominions.

ART.

ART. XV. This treaty shall be ratified by the high-contracting parties, and the ratifications thereof shall be exchanged as soon as possible.

Thus concluded, and signed by the minister plenipotentiary of his Majesty, the king of Great-Britain, on one part, and by the minister plenipotentiary of his most serene highness the duke of Brunswick and Lunenburg, on the other part.

Done at Brunswick this 9th of January, 1776.
William Faucitt (L. S.) J. B. de Feronce (L. S.)

Note concerning the Levy Money.

BY the state annexed to the present note, it is manifest, that the total of the heads for which levy money is paid, amounts to four thousand eighty-four. By the 10th article of the treaty, it is agreed, that thirty crowns banco of fifty three sols of Holland, shall be paid; the crown banco is valued at 4s. 9 $\frac{3}{4}$ d. which makes for the whole 2948l. 7s. 6d. By the same 10th article, it is agreed, that one third part of this sum shall be paid one month, and the two other third parts, two months after the signature; consequently his Britannic Majesty will be pleased to order it to be paid on the 9th of February next to the banker properly authorised, the third part of the levy money making 9827l. 2s. 6d. the two other third parts shall be paid on the 9th of March next, the amount of which is 19654l. 5s.

Done and signed at Brunswick this 9th of January, 1776.
William Faucitt, J. B. de Feronce.

State of the Number of the Heads for which Levy Money is to be paid.

GENERAL STAFF.

- 1 Servant of the lieutenant quarter-master general.
- 1 Servant of the cashier.
- 11 Labourers.
- 2 Servants for the carriage with the military chest.

15

Carried over

15

Regi-

Brought over 15

Regiment of Dragoons.

STAFF.

- 3 Servants of the captain lieutenants.
- 1 Servant of the aid de camp.
- 1 of the quarter-master general.
- 1 of the chaplain.
- 1 of the auditor.
- 1 of the surgeon major.
- 1 Trumpeter of the staff.
- 1 Provost.
- 1 His assistant.
- 4 Labourers.

—
15

1 TROOP.

- 3 Servants for the officers.
- 6 Inferior officers.
- 2 Drummers.
- 60 Dragoons.
- 1 Surgeon.
- 2 Bats-men.

—

74 men makes for four troops 296

Staff - - - - 15

311 men,

—

Battalion of Grenadiers.

STAFF.

- 1 Servant of the captain lieutenant.
- 1 of the aid de camp.
- 1 of the surgeon's assistant.
- 1 Provost.
- 1 His assistant.

—

5 men.

Carried over 326

—
One

Brought over 326

One Company of Grenadiers.

- 4 Servants for the officers.
- 10 Inferior officers.
- 1 Surgeon.
- 3 Drummers.
- 2 Fifes.
- 6 Carpenters.
- 106 Grenadiers.
- 2 Bats-men.

134 men, makes for four companies, of which
this battalion is composed

Staff - - - - 536

5

541

Regiment of Infantry.

STAFF.

- 2 Servants of the captain lieutenants.
- 1 Servant of the aid de camp.
- 1 Surgeon major.
- 1 Chaplain
- 1 Auditor.
- 1 Quarter master major.
- 1 Clerk.
- 1 Drum major.
- 4 Hautboois.
- 1 Provost.
- 1 His assistant.
- 2 Bats-men.

17 men.

COMPANY.

- 4 Servants for the officers.
- 10 Inferior officers.

Carried over 867

1 Sur-

Brought over 867

1 Surgeon.
 3 Drummers.
 106 Soldiers.
 2 Bats-men.

126 men—total of five companies 630
 Staff - - - 17

647
 Second regiment - - 647
 Third regiment - - 647
 Fourth regiment - 647

Battalion of Light Infantry.

STAFF.

1 Servant of the captain lieutenant.
 1 Aid de camp.
 1 Quarter master.
 1 Provost.
 1 His assistant.
 1 Servant for the chest.
 1 carriage with the medicines.

7 men.

One Company of Chasseurs,

4 Servants for the officers.
 1 Surgeon.
 10 Inferior officers.
 2 French horns.
 123 Chasseurs.
 2 Bats-men.

142 men

One Ordinary Company.

4 Servants for the officers.
 1 Surgeon.
 10 Inferior officers.
 3 Drummers.

Carried over 3455
 100 Soldiers

A. 1776.

D E B A T E S.

295

Brought over 3455

100 Soldiers.

2 Bats-men.

—

120 men.

4 Companies of this force 480

1 Company of Chasseurs 142

Staff - - 7

— 629

Sum total 4084 men.

*Translation of a Treaty between his Majesty and the Landgrave of Hesse Cassel.**Signed at Cassel the 15th of January, 1776.*

HIS Britannic Majesty being desirous of employing in his service a body of twelve thousand men of the troops of his most serene highness the reigning Landgrave of Hesse Cassel, and that prince full of attachment for his Majesty, desiring nothing more than to give him proofs of it, his Majesty, in order to settle the objects relative to this alliance has thought proper to send to Cassel the Sieur William Faucitt his minister plenipotentiary and colonel in his service; and his Most Serene Highness has named, on his part for the same purpose, the Baron Martin Erneste de Schlieffen his minister of state, lieutenant general and knight of his orders, who being furnished with requisite full powers, have agreed that the treaties formerly concluded between Great Britain and Hesse, shall be made the basis of the present treaty, and to adopt as much of them as shall be applicable to the present circumstances, or to determine by new articles such points as must be settled otherwise; every thing that shall not be differently regulated, shall be deemed to subsist in full force, as it shall appear to be declared in the abovementioned treaties; and as it is not possible to specify each particular case, every thing that shall not be found regulated in a precise manner, neither in the present treaty nor in the former treaties, ought to be settled with equity and good faith, conformably to the same principles which were agreed on each part

to be pursued for regulating all such cases, whether during or after the last war.

I. There shall be therefore, by virtue of this treaty between his Majesty the King of Great Britain and his most serene highness the Landgrave of Hesse Cassell, their successor and heirs, a strict friendship, and a sincere, firm and constant union, insomuch that the one shall consider the interests of the other as his own, and shall apply himself with good faith to advance them to the utmost, and to prevent and avert mutually all trouble and loss.

II. To this end it is agreed, that all former treaties principally of guaranty, be deemed to be renewed and confirmed by the present treaty in all their points, articles and clauses, and shall be of the same force as if they were herein inserted, word for word, so far as is not derogated from them by the present treaty.

III. This body of twelve thousand men of the troops of Hesse, which is to be employed in his Britannic Majesty's service, shall consist of four battalions of grenadiers of four companies each, fifteen battalions of infantry of five companies each, and two companies of chasseurs; the whole provided with general and other necessary officers. This corps shall be compleatly equipped and provided with tents, and all accoutrements of which it may stand in need; in a word shall be put upon the best footing possible, and none shall be admitted into it but men fit for service, and acknowledged for such by his Britannic Majesty's commissary. Formerly the signature of the treaties has usually preceded, by some time, the term of the requisition for the march of the troops, but as in the present circumstances there is no time to be lost, the day of the signature of the present treaty is deemed also to be the term of the requisition; and three battalions of grenadiers, six battalions of infantry, with one company of chasseurs, shall be in a condition to pass in review before his Britannic Majesty's commissary on the fourteenth of February, and shall begin to march on the day following the fifteenth of February, for the place of embarkation. The rest shall be ready in four weeks after, if possible, and march in like manner.

This body of troops shall not be separated, unless reasons of war require it, but shall remain under the orders of the general to whom his Most Serene Highness has entrusted the command;

command ; and the second division shall be conducted to the same places only where the first shall actually be, if not contrary to the plan of operations.

IV. Each battalion of this body of troops shall be provided with two pieces of field artillery, with the officers, gunners and other persons, and the train thereunto belonging, if his Majesty is desirous of it.

V. Towards defraying the expence in which the Most Serene Landgrave shall be engaged for the arming and putting in condition the said corps of twelve thousand men, his Majesty the King of Great Britain promises to pay to his Most Serene Highness, for each foot soldier thirty crowns *banco* levy money, as well for the infantry as for the chasseurs, or artillery, if there should be any, the sum total of which shall be ascertained according to the number of men composing this corps, and as they have been reckoned in former alliances.

The sum of one hundred and eighty thousand crowns *banco* valued as in the following article, shall be paid on account of this levy money on the tenth of February, and the residue shall be paid when the second division of this corps shall begin their march.

VI. In all the former treaties a certain number of years is stipulated for their duration ; but in the present his Britannic Majesty chusing rather not to engage himself for any longer time than he shall have occasion for these troops, consents instead thereof that the subsidy shall be double from the day of the signature of this treaty to its expiration, that is to say, that it shall amount for this body of twelve thousand men to the sum of four hundred and fifty thousand crowns *banco* per annum ; the crown reckoned at fifty-three sols of Holland, or at four shillings and nine-pence three farthings English money, and that the subsidy shall continue upon this foot during all the time that this body of troops shall remain in British pay. His Britannic Majesty engages also to give notice to the Most Serene Landgrave of its determination twelve months or a whole year before it shall take place ; which notice shall not even be given before this body of troops is returned ; and actually arrived in the dominions of the said prince, namely in Hesse, properly so called. His Majesty shall continue equally to this corps the pay and other emoluments for the remainder of the month in which it shall repass the frontiers of Hesse ; and his Most Serene Highness reserves to

himself on his side, the liberty of recalling his troops at the end of four years, if they are not sent back before, or to agree with his Britannic Majesty at the end of that time for another term.

VII. With regard to the pay and treatment, as well ordinary as extraordinary, of the said troops, they shall be put on the same foot, in all respects, with the national British troops; and his Majesty's department of war shall deliver without delay to that of his Most Serene Highness, an exact and faithful state of the pay and treatment enjoyed by those troops; which pay and treatment, in consideration that his Most Serene Highness could not put this corps in a condition to march in so short a time without extraordinary expences, shall commence for the first division on the first of February, and for the second, seven days before it shall begin to march, and shall be paid into the military chest of Hesse, without any abatement or deduction, to be distributed according to the arrangements which shall be made for that purpose, and the sum of twenty thousand pounds sterling shall be advanced immediately on account of the said pay.

VIII. If it should happen unfortunately that any regiment or company of the said corps should be ruined or destroyed either by accidents on the sea or otherwise, in the whole or in part, or that the pieces of artillery or other effects with which they shall be provided, should be taken by the enemy, or lost on the sea, his Majesty the King of Great Britain shall cause to be paid the expences of the necessary recruits, as well as the price of the said field pieces and effects, in order forthwith to reinstate the artillery and the said regiments or companies; and the said recruits shall be settled likewise on the foot of those which were furnished to the Hessian officers by virtue of the treaty of 1702, article the fifth, to the end that the corps may be always preserved and sent back in as good a state as it was delivered in: the recruits annually necessary shall be sent to the English commissary, disciplined and compleatly equipped, at the place of embarkation, at such time as his Britannic Majesty shall appoint.

IX. In Europe his Majesty shall make use of this body of troops by land wherever he shall judge proper; but North America is the only country of the other parts of the globe where this body of troops shall be employed. They shall not serve on the sea, and they shall enjoy, in all things, without

out any restriction whatsoever, the same pay and emoluments as are enjoyed by the English troops.

X. In case the Most Serene Landgrave should be attacked or disturbed in the possession of his dominions, his Britannic Majesty promises and engages to give him all the succour that it shall be in his power *to afford*, [original, *de donner*] which succour shall be continued to him until he shall have obtained an entire security and just indemnification: as the most Serene Landgrave promises likewise on his part, that in case his Majesty the King of Great Britain is attacked or disturbed in his kingdoms, dominions, lands, provinces or towns, he will *give him* [original, *lui prêter*] in like manner all the succour that it shall be in his power *to afford*, [original *de donner*] which succour shall likewise be continued to him, until he shall have obtained a good and advantageous peace.

XI. In order to render this alliance and union the more perfect and to leave no doubt with the parties about the certainty of the succour which they have to expect by virtue of this treaty, it is expressly agreed, that to judge for the future whether the case of this alliance and the stipulated succour exists or not, it shall suffice, that either of the parties is actually attacked by force of arms, without his having first used open force against him who attacks him.

XII. The sick of the Hessian corps shall remain under the care of their physicians, surgeons, and other persons appointed for that purpose, under the orders of the general commanding the corps of that nation; and every thing shall be allowed them that his Majesty allows to his own troops.

XIII. All the Hessian deserters shall be faithfully given up wherever they shall be discovered in the places dependent on his Britannic Majesty, and above all as far as it is possible, no person whatever of that nation shall be permitted to establish himself in America, without the consent of his sovereign.

XIV. All the transports for the troops, as well for the men as for the effects, shall be at the expence of his Britannic Majesty; and none belonging to the said corps shall pay any postage of letters, in consideration of the distance of the places.

XV. The treaty shall be ratified by the high contracting parties, and the ratifications thereof shall be exchanged as soon as possible.

In

In witness whereof, we the undersigned, furnished with the full powers of his Majesty the King of Great Britain on one part, and of his Most Serene Highness the reigning Landgrave of Hesse Cassell on the other part, have signed the present treaty, and have caused the seals of our arms to be put thereto. Done at Cassell, the Fifteenth of January, in the year 1776.

L. S. William Faucitt. L. S. M. de Schlieffen.

Translation of a Treaty between his Majesty and the Hereditary Prince of Hesse Cassell, reigning Count of Hanau, &c.

Signed at Hanau, the 5th of February, 1776.

BE it known to all whom it may concern, that his Majesty the King of Great Britain having judged proper to accept a body of infantry of the troops of his most serene highness the hereditary Prince of Hesse Cassell, reigning Count of Hanau, &c. to be employed in the service of Great Britain, the high contracting parties have giving orders for this purpose to their respective ministers, that is to say, his Britannic Majesty to Colonel William Faucitt, captain of the guards; and the most serene hereditary Prince of Hesse Cassell to his minister and privy councillor Frederic de Malsbourg; who after the exchange of their respective full powers have agreed upon the following articles.

Art. I. The said Most Serene Prince yields to his Britannic Majesty a body of infantry of six hundred sixty eight men, which shall be at the entire disposition of the King of Great Britain.

Art. II. The Most Serene Prince engages to equip completely this corps, and that it shall be ready to march the twentieth of the month of March next, at farthest. The said corps shall pass in review before his Britannic Majesty's commissary at Hanau, if that can be done, or at some other place, as opportunity shall offer.

Art. III. The Most Serene Prince engages to furnish the recruits annually necessary; these recruits shall be delivered to

to his Britannic Majesty's commissary, disciplined and completely equipped : his Most Serene Highness will do his utmost that the whole may arrive at the place of their embarkation at the time his Majesty shall fix upon.

Art. IV. The service of his Britannic Majesty, and the preservation of the troops, requiring equally that the commanding officers and subalterns should be perfectly acquainted with the service, his Most Serene Highness will take proper care in the choice of them.

Art. V. The Most Serene Prince engages to put this corps on the best footing possible, and none shall be admitted into it but persons proper for campaign service, and acknowledged as such by his Britannic Majesty's commissary.

Art. VI. This corps shall be furnished with tents and all necessary equipage.

Art. VII. The King grants to this corps the ordinary and extraordinary pay, as well as all the advantages in forage, provisions, winter-quarters, and refreshments, &c. &c. enjoyed by the royal troops ; and the Most Serene Prince engages to let this corps enjoy all the emoluments of pay that his Britannic Majesty allows them. The sick and wounded of the said corps shall be taken care of in the King's hospitals, and shall be treated in this respect as his Britannic Majesty's troops ; and the wounded, not in a condition to serve, shall be transported into Europe, and sent back into their own country at the expence of the King.

VIII. There shall be paid to his Most Serene Highness, under the title of levy money, for each foot soldier, thirty crowns *banco* ; the crown reckoned at fifty three sols of Holland : one half of this levy-money shall be paid six weeks after the signature of the treaty, and the other half, three months and a half after the signature.

Art. IX. According to custom, three wounded men shall be reckoned as one killed : a man killed, shall be paid for at the rate of the levy-money. If it shall happen that any company of this corps should be entirely ruined or destroyed, the King will pay the expence of the necessary recruits to re-establish this corps.

Art. X. The Most Serene Prince reserves to himself the nomination to the vacant employments, as also the administration of justice. Moreover his Britannic Majesty will
cause

cause orders to be given to the commander of the army in which this corps shall serve, not to exact of this corps any extraordinary services, or such as are beyond their proportion with the rest of the army; and when they shall serve with the English troops, or with other auxiliaries, the officers shall command (as the military service requires of itself) according to their military rank, and the seniority of their commissions, without making any distinction of what corps the troops may be with which they may serve. This corps shall take the oath of fidelity to his Britannic Majesty, without prejudice to that which they have taken to their sovereign.

Art. XI. Their pay shall commence fifteen days before the march of this body of troops, and from the time the troops shall have quitted their quarters, in order to repair to the place of their destination, all the expences of march and transport, as well as of the future return of the troops into their own country, shall be at the charge of his Britannic Majesty.

Art. XII. His Britannic Majesty will grant to the Most Serene Prince, during all the time that this body of troops shall be in the pay of his Majesty, an annual subsidy of twenty five thousand and fifty crowns *banco*. His Majesty shall cause notice of the cessation of the aforesaid subsidy to be given, a whole year before it shall cease to be paid, provided that this notice shall not be given till after the return of the troops into the dominions of his Most Serene Highness.

This treaty shall be ratified by the high contracting parties, and the ratifications thereof shall be exchanged as soon as possible. In witness whereof, we the undersigned, in virtue of our full powers have signed the present treaty, and have thereunto put the seals of our arms.

Done at Hanau, the 5th of February, 1776.

L. S. William Faucitt. L. S. Frederic Bn. de Malsbourg.

The following Papers of Military Establishments were subjoined to the preceding Treaties.

Establishment of the Brunswick Troops which are to enter into the Pay of his Britannick Majesty.

General Staff.

1 Major-general	1 Matross
1 Lieutenant-quarter-master-general	1 His Assistant
1 His servant	1 Farrier
1 Aid-de-camp	2 His Assistants
1 Secretary	1 Sadler
1 Cashier	1 Waggon-master
1 His servant	1 His Assistant
1 Writer	2 Servants for the carriage with the military-chest
1 Clerk	_____
1 Gunsmith	22 men.
2 His Assistants	_____

Establishment of one Regiment of Infantry.

Staff.

Colonel or lieutenant-colonel
His servant
Major
His servant
1 Aid-de-camp
1 His servant
2 Captain-lieutenants
2 Servants
1 Regimental quarter-master
1 His servant
1 Auditor
1 His servant
1 Chaplain
1 His servant
1 Surgeon-major
1 His servant
1 Clerk
1 His servant
1 Drum-major
4 Hautbois

21 men carried over.

VOL. III.

Establishment of one Company.

1 Captain
1 His servant
1 First lieutenant
1 His servant
1 Second lieutenant
1 His servant
1 Ensign
1 His servant
2 Serjeants
3 Inferior officers
1 Captain d'armes
1 Fourier
1 Bearer of colours
5 Corporals
1 Surgeon
3 Drummers
20 Anspessades
86 Soldiers
2 Servants for the Tents
1 Sollicitor

106 soldiers

131 men carried over.

S s

Brought

21 Brought over

131 Brought over

- 1 Prevot
- 1 His servant
- 2 Servants for the carriage, with
the military and medicine chests

25 men.

131 men.

Five companies of 131 men
Staff

655 men
25

Sum total of one regimnet.

680

*Establishment of one Battalion of Grenadiers.**Staff.*

Lieutenant-colonel or major

His servant

1 Captain-lieutenant

1 His servant

1 Aid-de-camp

1 His servant

1 Surgeon-major

1 His assistant

1 Provost

1 His servant

8 men.

Four companies of 139 men
Staff

Establishment of one Company.

1 Captain

1 His servant

1 First lieutenant

1 His servant

1 Second lieutenant

1 His servant

1 Sub-lieutenant

1 His servant

2 Serjeants

2 Inferior officers

6 Corporals

1 Surgeon

3 Drummers

2 Fifes

6 Carpenters

20 Anspessades } 106 soldiers
86 Soldiers }

2 Servants for the tents

1 Solicitor

139 men.

556 men
8

Sum total of one battalion of grenadiers

564

Establishment

*Establishment of one Regiment of Dragoons.**Staff.*

Colonel
 His servant
 Lieutenant-colonel
 His servant
 Major
 His servant
 3 Captain-lieutenants
 3 Their servants
 1 Regimental quarter-master
 1 His servant
 1 Aid-de-camp
 1 His servant
 1 Chaplain
 1 His servant
 1 Auditor
 1 His servant
 1 Surgeon-major
 1 His servant
 1 Clerk
 1 Trumpeter
 1 Provost
 1 His servant
 1 Farrier
 1 His assistant
 1 Sadler
 1 His assistant

 24 men.

Four troops of 78 men
 Staff

Sum total of a regiment of dragoons 336

*Establishment of one Battalion of Light-Infantry.**Staff.*

Lieutenant-colonel or major
 His servant
 1 Captain-lieutenant
 1 His servant
 1 Aid-de-camp
 1 His servant
 1 Surgeon-major
 1 Regimental quarter-master
 1 His servant

Establishment of one Troop.

1 Captain
 1 His servant
 1 Lieutenant
 1 His servant
 1 Cornet
 1 His servant
 1 Quarter-master
 2 Serjeants
 3 Corporals
 1 Surgeon
 2 Drummers
 60 Dragoons
 2 Servants for the tents
 1 Solicitor

 78 men.

1 Provost
 1 His servant
 1 Servant for the carriage with
 the military-chest
 1 Servant for the carriage with
 the medicines.

 11 men.

*Establishment of one Company of
Chasseurs.*

1	Captain
1	His fervant
1	First-lieutenant
1	His fervant
1	Second-lieutenant
1	His fervant
1	Sub-lieutenant
1	His fervant
1	Surgeon
2	Serjeants
2	Inferior officers
6	Corporals
2	French-horns
123	Chausseurs
2	Servants for the tents
1	Solicitor

147 men.

*Establishment of one ordinary
Company.*

1	Captain
1	His fervant
1	First-lieutenant
1	His fervant
1	Second-lieutenant
1	His fervant
1	Sub-lieutenant
1	His fervant
1	Surgeon
2	Serjeants
2	Inferior officers
6	Corporals
3	Drummers
20	Anspeffades
80	Soldiers
2	Servants for the tents
1	Sollicitor

125 men.

Four companies of 125 men
One company of Chasseurs
Staff

500 men
147
11

Sum total of a battalion of Light-Infantry.

658

RECAPITULATION.

	<i>Men.</i>
The first division consists in the General Staff of	22
Prince Frederick's regiment of infantry, of	680
The regiment of Ridesel, of	680
The battalion of grenadiers of Breymann, of	564
The regiment of Light-Dragoons	336

Total of the first division 2282

	<i>Men.</i>
One regiment of Retz	680
One regiment of Specht	680
One battalion of light-infantry of Barner	658

Total of the second division 2018

Sum Total 4300

*Establissemnt of the Troops of the Landgrave of Hesse Cassel.**The General Staff.*

1 General-commandant, His two aide-de-camps, His secretary	2 Assistant majors of brigade
1 Lieutenant-general of infantry His aid-de camp	1 Auditor-general
4 Major-generals of infantry	2 Chaplains of the general staff
4 Aids-de-camp	1 Physician
1 Quarter-master-general	1 Surgeon-general
1 His assistant	1 Waggon-master of the general staff
2 Majors of brigade	1 Provost and his servants
	1 Serjeant of justice
	1 Executioner and his servants

*One Battalion of Grenadiers**The Staff.*

1 Colonel-commandant of the four battalions of grenadiers	2 Ensign and his servant
1 Lieutenant-colonel	3 Serjeants
1 Quarter-master of the regi- ment	1 Fourier
1 Gunsmith	1 Capitaine d'armes
1 Provost	6 Corporals
1 Servant for the carriage with the military chest.	1 Surgeon
-----Total of the staff	2 Fifes
	3 Drummers
	105 Private men
	1 Solicitor

131 Total of one company

393 . . . of three others

. . . of the staff.

524 Total of one battalion of gre-
nadiers.*One Company.*

- 2 Captain and his servants
- 2 Lieutenant and his servant
- 2 Second-lieutenant and his ser-
vant

*One Regiment of Infantry.**The Staff.*

1 Colonel	1 Drum-major
1 Lieutenant-colonel	6 Hautbois
1 Major	1 Gunsmith
1 Aid-de camp	1 Provost
1 Quarter-master of the regi- ment	1 His servant
1 Auditor	1 Servant for the carriage with the military chest
1 Chaplain	1 Servant for the carriage with the medicines.
1 Surgeon-major	
1 Waggon-master	

-----Total of the Staff.

One

One Company.

2 Captain and his servant
 2 Lieutenant and his servant
 2 Second-lieutenant and his
 servant
 2 Ensign and his servant
 3 Serjeants
 1 Fourier
 1 Capitaine d'armes
 7 Corporals
 1 Surgeon

3 Drummers
 105 Private men
 1 Solicitor

130 Total of one company
 520 . . . of four others
 . . . of the staff

650 Total of one regiment of in-
 fantry

One Company of Chasseurs.

2 Captain and his servant
 2 Lieutenant and his servant
 4 Second-lieutenants and their
 servants
 4 Serjeants
 1 Fourier
 1 Capitaine d'armes
 6 Corporals
 1 Surgeon
 3 French-horns
 105 Chasseurs

1 Quarter-master major
 1 Servant for the carri-
 age with the mili-
 tary chest and medi-
 cines
 2 Others for the am-
 munition carriage

For the
 two com-
 panies.

129 Total of one company of chasseurs.

*RECAPITULATION.**The General Staff.*

524 Total of one battalion of grenadiers
 1,572 . . . of three others
 650 . . . of one regiment of infantry
 9,100 . . . of fourteen others
 129 . . . of one company of chasseurs
 129 . . . of another

12,104

*Establishment of the Regiment of Infantry of the Hereditary Prince of Hesse Cassel.**Staff.*

1 Colonel
 1 Lieutenant-colonel
 1 Major, 1 Auditor
 1 Regimental quarter-master
 Chaplain
 on-major

3 Surgeons
 1 Drum-major
 6 Hautbois
 1 Provost
 1 His servant

19

Establish-

*Establishment of a Company
of Grenadiers.*

- 1 Captain
- 1 First-lieutenant
- 2 Second-lieutenants
- 1 Serjeant-major
- 2 Serjeants
- 1 Fourier
- 1 Capitaine d'armes
- 3 Corporals
- 2 Fifes
- 3 Drummers
- 95 Grenadiers

112

*Establishment of a Regimental
Company.*

- 1 Captain
- 1 First-lieutenant
- 1 Second-lieutenant
- 1 Ensign
- 1 Serjeant-major
- 2 Serjeants
- 1 Fourier
- 1 Captain d'armes
- 1 Bearer of the colours
- 2 Corporals
- 3 Drummers
- 93 Private

108

- 432 the four other companies
- 112 the company of grenadiers
- 16 the staff

668 Total

*Translation of the Convention with the Landgrave of Hesse Cassel, for 9000 Men, to be put
into the Service of his Majesty and the States.*

Convention made between his Majesty the King of Great Britain and their High and Mighty Lordships, the States General, on one part; and his most Serene Highness the Landgrave of Hesse Cassel, on the other part; touching a body of 9000 men, which his said Highness had promised to give for the good of the common cause.

First, His Highness shall furnish the said King of Great Britain, and the said Lords the States General, with 6000 men; which shall consist, according to the list which shall be made thereof, in one regiment of horse, of six companies; two regiments of dragoons, each of eight companies; and five regiments of foot, each of twelve companies; each regiment having its field and staff officers; and making together, in the whole, the number of 6000 men.

2. These 6000 men shall be good troops, well exercised, clothed, and armed; and they shall have good horses; and shall be provided with all that shall be necessary for them.

3. The said 6000 men shall be paid regularly, according to the abovesaid list; one half by his Majesty the King of Great Britain, and

the other half by their High and Mighty Lordships; on the same foot the States General pay their own troops, and as soon as the other foreign troops of other princes; and they shall not, at any time, be more than three months in arrear.

4. The pay of these troops shall commence two full months before the day they shall enter upon the borders of the state of their High and Mighty Lordships, or on the place whither they shall be required to come, whether it be for action, or otherwise; where they shall be immediately received by the commissaries of his Britannic Majesty, and of their High and Mighty Lordships: and they shall take an oath of fidelity to the said King, and to the said States General.

5. For what relates to the recruits of the said 6000 men, they shall be upon the same foot as their High and Mighty Lordships treat their own troops: and, moreover, it shall be left, on their part, to the liberty of the said 6000 men, to raise their recruits where it shall be most convenient for them, as well in the territories of his Highness, as in those of their High and Mighty Lordships.

6. In

6. In time of war, these 6000 men shall be paid in money, for waggons, and other equipage, what their High and Mighty Lordships pay their own troops; and, in short, they shall enjoy all the same advantages in general, that the said troops of their High and Mighty Lordships do enjoy.

7. In case that, after an accommodation, or peace, be made, his Majesty of Great Britain, and their High and Mighty Lordships, should have a mind to send back the said 6000 men, his said Highness shall have notice of it two months before they begin their march, in order to their return.

8. In case, as abovesaid, that these troops be sent back, or recalled, his Majesty the King of Great Britain, and their High and Mighty Lordships, shall pay to the said troops what shall be due to them, as well on account of their pay, as for waggons.

9. It shall be left to the disposal of his Highness, in case of any great and evident danger; or, if he shall happen to be attacked in his own dominions; thereupon to recal the said troops; and they shall be sent him back immediately, and without any contradiction.

10. When his Majesty the King of Great Britain, and their High and Mighty Lordships, after the war is ended, shall send back the said 6000 men, in that case, they shall have one full month's pay for their return and carriage-money: but, in case his Highness recalls them before the ratification of the treaty of peace, then they shall be paid no more than the remainder of the month's pay wherein they are recalled.

11. In case of the sending back, or recall, of the said 6000 men, neither the said King, nor the said Lords the States General, shall pay for, or fill up, the private soldiers, which may then be wanting; but it shall lie upon the officers to answer for the same to his Highness the Landgrave.

12. His Highness shall further add 3000 men to the said 6000 men, to serve together in one body, which he shall maintain wholly at his own charge, and they shall perform the same service during the campaign, as the first 6000 men; it being nevertheless to be understood, that ammunition, bread, and forage, shall be furnished the said 3000 men, during the campaign, on the same terms with the other troops of the States.

13. His said Highness shall be allowed, after campaign is over, to quarter these 3000 men in his own country during the winter, provided they do rejoin the other 6000 men in the spring.

14. In case his said Highness be attacked in his own country, as abovesaid, and that he thinks fit to recall the said 6000 men, he may likewise recall the said 3000.

15. The said King, and the said Lords, the States General, shall pay for what is abovementioned to his Highness, one hundred thousand crowns, or two hundred and fifty thousand livres (money of Holland) yearly, during the four first years of the war, to commence with this present year; and, after that time, as long as the war shall last, or that the said troops shall continue in their service, half of the said sum; that is to say, one hundred and twenty-five thousand livres, yearly, payable every year by way of anticipation.

16. And, towards the support of the charges which his Highness will be obliged to be at, at present, there shall be advanced to his said Highness, as soon as the ratification shall be exchanged, four hundred thousand livres, to be discounted on the two first years.

17. The said King, and the said Lords, the States General, shall procure the requisitorial letters which shall be necessary for the march of the said troops.

18. This convention shall be ratified, and the ratifications thereof exchanged, here at the Hague, in four weeks, or sooner, if it be possible.

In witness whereof, we the underwritten ambassador extraordinary, deputies, and counsellors plenipotentiaries, of his Majesty the King of Great Britain, the Lords the States General, and the Landgrave of Hesse, have concluded, signed, and sealed with our coats of arms, the present convention; that is to say, I the Earl of Marlborough, at London, the 13th of February 1701-2; and we the Deputies of the Lords the States General, and the Counsellors Plenipotentiaries of his Highness the Landgrave, at the Hague, the 7th of February in the year 1702 new stile.

(L. S.) *Marlborough.*

(L. S.) *J. Van Effen.* (L. S.) *J. R. Van Dalwig.*

(L. S.) *F. B. de Reede.*

(L. S.) *J. S. Klaute.*

(L. S.) *A. Heinsius.*

(L. S.) *Joban. Becker.*

(L. S.) *E. de Weede.*

(L. S.) *Du Tour.*

(L. S.) *H. J. Roelinck.*

(L. S.) *S. L. Gockinga.*

January 29.

Private business.

January 30.

Decollation of Charles I.

January 31.

Private business.

February 1.

No debate.

February 2.

Nothing done.

Adjourned to February 5.

February 5.

Private business.

February 6.

Not members sufficient for a ballot.

February 7.

No debate.

February 8 and 9.

Private business.

Adjourned to February 12.

February 12.

Private business.

February 13.

No debate.

February 14.

The order of the day for taking into consideration the report of the committee appointed last session, to try the election for Shaftesbury, on the petition of Hans Wintrop Mortimer, esq. the member seated by their determination, was read. After which, Sir George Yonge, chairman of the committee, stated the proceedings of the committee, and the facts. He stated, that the most notorious bribery and corruption, and perjury, had been carried on at the last election at Shaftesbury; not secretly, and as if ashamed of such practices; but openly, and with pomp and parade, by sound of trumpet, ringing of bells, public processions, and other methods of inviting the voters to accept the bribes. That it appeared likewise to have been the practice, for many years back, for the voters at Shaftesbury to expect money from the candidates at elections, and that nothing was to be done without it. In proof of these facts he made several references to the report of the committee, which was read; and having expressed his sense of the duty he owed to himself as a member of Parliament, to the committee of which he was appointed

Sir George
Yonge.

chairman, and to the House, he added, that he had discharged his conscience in bringing the whole of the evidence before the House, which would answer no purpose, unless he had the support of the House in regard to what he should propose in the further proceedings upon this matter. He concluded, by shewing the necessity of coming to some resolutions effectually to stop these shameful proceedings at Shaftesbury, and to punish the delinquents; for which purpose he moved, first, the following resolution:

Resolved, That it appears to this House, from the minutes of the committee appointed to try the merits of the last election at Shaftesbury, that the most notorious subornation of perjury had been practised, and the most wilful, corrupt perjury committed, at the last election for Shaftesbury in Dorsetshire. Agreed to.

That it appears to this House from the minutes of the same committee, That Francis Sykes and Thomas Rumbold, Esqrs. (the late sitting members) John Good, William Bennet, William Armstrong, Matthew Merefield, and Thomas Hannam, were abettors, &c.

Mr. Serj.
Adair.

This motion produced a debate. Mr. *Serjeant Adair*, expressed, That it was contrary to the rules of law and equity to condemn persons unheard, who had no notice or expectation of such a proceeding. He was followed by Mr. Dempster, much upon the same ground, adding, that it was taking upon the House to find persons guilty without evidence. Neither of these gentlemen seemed to think the evidence, from the minutes any proof of the charge against Sykes and Rumbold. The Solicitor-General urged the same, and said, it was a resolution the House could not come to precipitately; that it ought to be duly weighed and re-considered. Mr. Montague objected to the resolution being general, as it had not appeared to him that the evidence was equally strong against all. Sir George Yonge agreed to divide the resolution, and take each name separately; and the debate now went on upon the resolution singly against Mr. Sykes. Mr. Serjeant Adair moved, That the further consideration of the report be put off to this day fortnight, when Mr. Sykes should have notice to attend. Mr. Solicitor General and Mr. Hans Stanley supported Mr. Adair's motion.

The original resolution was supported by the Lord Mayor, [Mr. Sawbridge,] Sir Joseph Mawbey, and Sir Edward Astley.

Sir

A. 1776.

D E B A T E S.

313

Sir *Cecil Wray* observed, that he was glad the chairman ^{Sir Cecil Wray.} had begun at the right end, viz. with the corruptors; but that in the present case, he must support the amendment, as, considering the House as a grand jury, it ought to have *viva voce* evidence, and not blindly take that which was given before another court, which ought not to have any other weight with the House, than as leading to an enquiry.

Mr. Adair's motion passed in the negative without a division; and the questions being severally put, with respect to the several persons mentioned, the resolution against them all was agreed to.

Sir *George Yonge* next moved, that the Attorney-General ^{Sir George Yonge.} be directed by the House to prosecute all the said parties; which was likewise agreed to.

Finally; He moved for leave to bring in a bill to disfranchise certain persons to be therein named, and to incapacitate them from voting at elections for members to serve in Parliament for the borough of Shaftesbury; which was agreed to, and a committee ordered to bring in the same.

February 15.

The right honourable *T. Townshend* spoke fully upon the ^{Rt. Hon. T. Townshend.} privileges of the House of Commons. He maintained, that the only true substantial meaning or idea those privileges conveyed was, that they were the indubitable right of all the Commons of England, who had one general interest in them. That to be sure, in a more confined sense, they were particularly applied first to that House, as a deliberate body, and one of the branches of the legislature. Secondly, to the individual members who composed that body. He did not intend to make them, however, the subject of this day's business; they were but of secondary, nay indeed of very inferior consequence, when opposed to that great privilege, the power of granting money, of keeping the purse of their constituents safe from the hands of violence, art or fraud. This was a trust of the first magnitude; it, in fact, included every other; for so long as that was preserved inviolate, the crown would remain under the constitutional controul of Parliament; so soon as that was wrested by open force, defeated by indirect means, or done away by fraud, the liberties and the privileges of the people would be for ever annihilated. He expatiated on the commendable, wise and well-founded jealousy of that House whenever the least attempt had been made in that way even by the other House; but when any endeavours were made by the crown, or its ministerial agents,

the Commons at all times caught the alarm ; they had at all times uniformly united, as if they were actuated by one soul, to resist any attempt of the crown to encroach upon their power of granting or refusing the money to be raised on themselves or their constituents. He then opened the cause which induced him to make these observations ; and read the following papers.

Message to the Irish House of Commons.

Jovis, Nov. 23, 1774.

HARCOURT,

I HAVE his Majesty's command, to acquaint you, that the situation of affairs, in part of his American dominions, is such, as makes it necessary, for the honour and safety of the British empire, and for the support of his Majesty's just rights, to desire the concurrence of his faithful Parliament of Ireland, in sending out of this kingdom, a force not exceeding four thousand men, part of the number of troops upon this establishment, appointed to remain in this kingdom, for its defence, and to declare to you, his Majesty's most gracious intentions, that such part of his army as shall be spared out of this kingdom, to answer the present exigency of affairs, is not to continue a charge upon this establishment so long as they shall remain out of the kingdom. I am further commanded to inform you, that as his Majesty has nothing more at heart than the security and protection of his people of Ireland, it is his intention, if it be the desire of Parliament, to replace such forces, as may be sent out of this kingdom, by an equal number of foreign Protestant troops, as soon as his Majesty shall be enabled so to do. The charge of such troops to be defrayed without any expence to this kingdom.

Extract from the Address of Knights, &c. to Lord Harcourt.

THAT your excellency will be pleased to return his Majesty our most grateful thanks for his gracious declaration, that his Majesty hath nothing more at heart than the security and protection of his people of Ireland, of which his Majesty has given a signal proof, by his offer, if it shall be the desire of Parliament, to replace such forces as may be sent out of this kingdom, by an equal number of foreign Protestant troops, the charge thereof to be defrayed, without any expence to this kingdom.

Extract

Extract from the Votes of the House of Commons of Ireland.

AN amendment was proposed to be made to the resolution, by inserting after the word resolved, the following words, viz. "That having, in consequence of his Majesty's gracious recommendation, and of our mature consideration of the state of this country, repeatedly declared our opinion, that twelve thousand men are necessary for the defence of this kingdom; being sensible that it would be a violation of the trust reposed in us, should we have subjected our constituents to a very heavy expence, in times of perfect tranquility, for the purpose of providing a force, which we are to part with in the times of danger; and being convinced, that since the time at which we first declared twelve thousand men to be necessary, the probability of a war has increased, and not diminished."

Right Honourable Mr. Speaker's Speech to his Excellency Simon Earl of Harcourt.

Lunæ, 25 Die Decembris, 1775.

May it please your Excellency.

THE conduct of the Commons, in the course of this session, has marked more strongly, if possible, than in any former period, their loyalty, duty and affection to his Majesty, and their zeal for the interest and honour of Great-Britain. At the hazard of their own safety they have consented to part with one third of the forces deemed necessary to be maintained at all times within this kingdom for its defence in a season when powerful reasons existed for retaining them. Without putting Great-Britain to the expence of replacing them, though generously offered; and they have cheerfully granted to his Majesty a very considerable supply, in addition to all former duties, though the liberality of the last session served only to expose the weakness of their resources. This disposition in the Commons they doubt not your Excellency will improve to their advantage, and they trust that through your Excellency's favorable representation, it will serve to unite Great-Britain and Ireland in still closer bonds of mutual affection, so necessary to the security and propriety of both. They acknowledge with gratitude your Excellency's generous efforts to open to them new sources of commerce, and to remove some restraints upon the old; they see with joy a beam of light break through that dark cloud which has so long overshadowed this nation; and they are animated with the hope

hope that the honour is reserved for your Excellency's administration, of establishing this important truth, that nothing will contribute more to augment the strength and wealth of Great-Britain, than the increase of both in this kingdom."

Having read these papers, he said, the message contained two propositions, by both which the Parliament of Great Britain were pledged to the Parliament of Ireland, if it should accept the conditions held forth by this message, to pay for the troops to be sent to America, and to replace them with 4000 foreign protestants; and further to induce the Irish nation to accept of this insidious bargain, she was to have 12,000 men within the Kingdom, and at the same time to be relieved of a burthen of 80,000*l.* per annum. Such a proposition could only have originated in the worst designs, or must have been the effect of the most consummate folly. For what was the whole measure taken together? The minister on this or the other side of the water, no matter which, makes the King engage his royal word, that the expence shall be borne by the Parliament of Great Britain; but adding folly to temerity, makes him promise, that Great Britain shall pay for 8000 men, though if the bargain was accepted, she would actually have but 4000 men in her service. After thus stating, in his opinion, the meaning of the words, he proceeded to shew, that they were received in this sense by the Irish Parliament, though neither of the offers were received in the terms proposed, and quoted the Speaker's speech, delivered at the bar of the House of Lords, on the 25th of December, 1775, in which he offers, in the name of the Commons, to send the 4000 natives out of the kingdom, without putting Great Britain to the expence of replacing them, though generously offered. He then stated the complaint in the following words: "That the earl of Harcourt, Lord Lieutenant-general, and general-governor of Ireland, did, on the 23d day of November last, in breach of the privilege, and in derogation of the honour and authority of this House, send a written message to the House of Commons of the Parliament of Ireland, signed with his own hand, to the following effect." [Here he recited the message in page 314] He moved, that a committee be appointed to enquire into the matter of the said complaint, and to report the same, as it shall appear to them, to the House.

Sir George Yonge seconded the motion,

Lord

Lord *Clare* said, the right honourable gentleman who made Lord *Clare*. the motion, had been lavish of his encomiums on Ireland, but did not offer a syllable in behalf of poor Britain. Ireland retained a proper sense of freedom; she would not admit foreigners, even with the consent of Parliament; her principles were sound, her manners were pure; her counsels were uncontaminated; while poor degenerate Britain was fallen from her former greatness, and was sunk into the lowest extreme of corruption, folly, and want of spirit; yet while he was proud to hear his country so highly extolled, he could not help lamenting that fallen Britain had not one friend to stand forth in her defence. His Lordship having continued his vein of irony and humour for a while, commented upon the two propositions. The offer of sending foreigners and of defraying the expence signified nothing, no such offer or promise was intended; it was all the idle reveries of a gentleman, whom, for the familiarity of expression, he would call by the name of Mr. Edmund Sexton Perry. He knew Mr. Edmund Sexton Perry very well, and he knew him to be a good sort of a confederate, honest, sensible man; but, however sensible Mr. Perry might be, the House was not bound by his interpretations. The honourable mover says, that Mr. Perry went to the bar of the House of Lords, and delivered a certain speech, and that the Lord Lieutenant acquiesced in that interpretation of the message, because he did not contradict it. Would he have Lord Harcourt rise and come to Mr. Perry to the bar, and contradict him, by telling him he never meant any such thing? I dare say he would hardly be so unreasonable. I have indeed heard it asserted by some of my countrymen, that they spoke better English than the people of this country. It may be so, but it is the first time I ever heard it asserted, that they understand it better. I presume that Mr. Perry thought he understood the message; but I will not allow that either Lord Harcourt, or this House, are bound to abide by his interpretation; neither can I be persuaded that the House of Commons of Ireland are any more bound than we are by his conceptions. For what does the whole amount to? Mr. Perry, in his individual capacity, says so and so. What is that to the House of Commons? He is speaker it is true, but what he does out of the House when he is not instructed, is no more the act of that House, than if it had been done by any other person.

Mr.

Mr. Conolly. Mr. Conolly replied to his lordship, that he was an Irishman as well as the noble lord, and as Ireland was to be the subject of that day, in the cocking phrase, he was ready to pit himself against him. He then observed, that he was not surprised that the noble Lord was in such extreme good humour with ministers on both sides of the water, as his lordship, and three others, who enjoyed sinecure employments, had a present made them in one day of 14,000*l.* (meaning the arrangement of the vice-treasurers, and the clerk of the pells) and lest a possibility should arise of any defalcation of their salaries, Parliament was so good-humoured, while they increased the salary, to take upon themselves to provide payment out of the public purse for deputies, who were to do the duty. It was therefore no wonder that his lordship and his colleagues should be merry, while Ireland continued to be sad, to see the salaries of sinecure places raised, while she was mortgaging her funds, laying on new duties, and providing for deficiencies of grants. He gave a picture of Ireland; an exhausted treasury, ruined trade, starving manufacturers, accumulating pensions, new created places, state oppressions, daily executions, a ruined, mouldering army, encreasing debts, castle jobbs, bands of lawless ruffians in defiance of law, and beyond the power of punishment, in short, every public evil and private mischief that ever was on earth to curse and debase mankind. He did not arise to the question simply stated, whether the message was really a breach of the privileges of the Commons of England, but principally, he said, to give an account of what passed in the Irish House of Commons, when Sir John Blaquire brought the message from the Lord Lieutenant. That House refused the offer, he said, upon two principles; first, because they thought the introduction of foreign troops an unconstitutional and dangerous measure; and, secondly, because it was thought that the ministry had no mind that they should have them, for Sir John himself voted against them. He said, Ireland was quite defenceless, that the 12,000 nominal men were only 10,800, out of which 4000 were to be sent away; that the White-boys were governors of all the south of Ireland, where four-fifths of the people were Catholics; that no private gentleman could be sure of his life, sitting there in his own house, for one half hour; that more troops were really wanting, instead of taking those away they had already; that men had their ears sawn off, and others were buried alive, to the disgrace of government

government, that could not or would not protect the people ; that the peasantry were in such a state of poverty, that no revolution or change of situation could possibly be to them for the worse.

Right hon. *Welbore Ellis* said the meaning of the message Rt. Hon. *Welbore Ellis.* had been mistaken ; that taking the expressions in any light, no breach of privilege could be deduced from them. He recalled to the remembrance of the House, that in 1769, when the Irish establishment was raised from 12,000 to 15,000 men, his Majesty passed a royal personal promise to the Irish Parliament, that there should never be less than 12,000 men in Ireland, except in case of actual invasion or rebellion in Great Britain. Now, the Earl of Harcourt's message, he contended, had reference to this promise, as the present want of troops was not within those exceptions, it certainly was his Majesty's first business to be absolved from that promise, by the parties to whom it was made : but if he had applied first to the Commons of Great Britain, it must have been for their approbation of a measure in direct breach of his promise to Ireland. He compared it to the King's proposing military establishments to the House ; the King does the whole by his prerogative, and leaves nothing to the House of Commons but to vote the money. Is not this engaging for the consent of Parliament ? Yet all the world knows that the House may object to them, and consequently that they cannot be effective without their consent.

Mr. *Gordon* thought the first part of the message was agree- Mr. *Cosmo Gordon.* able to the sense now put on it by the honourable gentleman who spoke last : but the other part seemed a little obscure at first sight ; yet it might be concluded, that as a measure of government, it could never be in the idea of the minister to make such an attempt, in express contradiction to the disbanding act of King William. It was, in his opinion, a fair inference to say, that the expression " enabled so to do," meant, the previous consent of the British Parliament. If he thought administration had any other intention in view, no man would be more ready to join in a vote of disapprobation and censure. He condemned the conduct of the minister, respecting the indemnity bill, and disapproved of introducing foreigners into the dominions of Great Britain, without the consent of Parliament.

Mr. *Powys* had little doubt that the message under confide- Mr. *Powys.* ration meant more than it expressed, and was intended as an experiment to try if the Irish Parliament would consent to

receive foreign troops, in order to establish a precedent which might be afterwards employed to other purposes.

Lord Middleton,

Lord *Middleton* said, he had a fortune in both kingdoms, but had no predilection for either in a political light, because he looked upon their interests to be mutual; but whatever other gentlemen might think of the message, of the true import of which it was impossible there could be a second opinion, he had not a doubt but it aimed at one fixed object, that was, to habituate both countries to certain notions which must in the end reduce the Parliament of each to be the mere instrumental agents of the crown, without the least degree of will or independence whatever. It was a scheme, however deep, formed nevertheless on very simple principles, and went directly to vest in the crown the virtual power of taxing, as opportunity might serve, both Great Britain and Ireland. In Ireland the minister was taught to ask some favour; then England was to be pledged. In England again, when circumstances recurred, or made impracticable, Ireland was to be taxed, in order to maintain the supremacy of the British legislature.

Mr. Dunning.

Mr. *Dunning* divided the message into two parts. On the first he observed, that it contained no condition implied or expressed. It was his Majesty's intention as immediately proceeding from his own mind, declared in the most positive terms the English language is capable of conveying. It was a complete undertaking on his part to pay for the 4000 men, if the Irish House of Commons should chuse to consent or accept of the terms. It was impossible in the nature of things, that any man possessed of any thing he could properly call his own, or binding himself to the execution of any act within his power, could promise in terms more clear, positive, or unequivocal, than those in which this part of the message was conceived. To get clear of this, he said, two modes had been adopted, both with equal bad success. One of those was a naked contradiction to the obvious sense of the words; but such an unsupported denial was abandoned in the very instant it was urged; for the noble Lord [Lord Clare] and the honourable gentleman [Mr. Ellis] who asserted at random, being conscious that it was but a random assertion, endeavoured to explain it, by saying that the affair was conducted precisely in a manner of a subsidiary treaty. This he said was still worse, for no argument was better than a bad one. It was well known, that the King when treating with foreigners, represented the state, which could never be the case, when

when treating with one part of his subjects, and engaging for another; besides the consequences, had the offer been accepted by the Irish Parliament, would have clearly shewn the difference, and established the distinction beyond all question. The troops, if the season of the year had permitted, might be now in America; the foreigners might be landed in Ireland: Great Britain was pledged; the cause in which the troops were to be employed, and the necessary arrangements by which the measure was to be brought about, is a favourite one; so that the whole business might be effected by his Majesty's bare intention, as completely without, as with the consent of the British Parliament. The second part of the message, he insisted, was clear and explicit. The offer was to replace the 4000 troops, by an equal number of foreign Protestants, "if it be the desire of Parliament." Here again was clear intention, and offer expressed, with the condition annexed, that was, "if it be the desire," &c. By every rule of legal construction or common sense, if there be an undertaking accompanied by a condition, if the condition be accepted by the party to whom it is proposed, the bargain is from that instant complete, and mutually binding on both parties. If then the proposition was a positive one, and it had been accepted, it only remained to discover whether or not it was the Commons of Great Britain, whose word was thus pledged without being consulted. This, he presumed, would require very little proof. No man would say that Hanover was to bear the burden. He could less think that any of his Majesty's new allies were to do so, however zealous they might be for chastising his rebellious subjects in America. The civil list, he suspected, was still less equal to afford so heavy a disbursement. Where then could the necessary means of paying so large a body of men be obtained, but from the British Parliament? By what had fallen in debate, as well as general declarations made at the time this business was first mentioned, he understood this *famous* message had been *disavowed* by the minister, and his friends on this side of the water. He presumed the minister on the other side did not venture to do it intirely on his own judgment. This excited his curiosity to know where it originated. It would be a sufficient answer, if the minister either here or in Ireland owned it. If neither did, but the advice came from another quarter, he should be glad to know, because in such an event more particularly, it would be the duty, as it

ought to be the wish of this House, to sift the matter to the bottom, in order to come at the real author or authors.

Lord North. Lord *North* gave a long narrative of the increase of the establishment, which took place in Ireland in 1769, and of his Majesty's promise to his Irish Parliament, that 12,000 men should always remain within that kingdom, except in the event of a rebellion in this. He said, the royal promise, though binding on his Majesty, was not law, therefore sending the troops out of the kingdom, to the amount of any number, was perfectly legal.* His Lordship said he would not answer the general question put to him by the last honourable gentleman; not chusing to gratify mere curiosity, at the expence of betraying the secrets of the cabinet. He avowed the having co-operated with the rest of the King's servants, in giving general instructions; but would not charge his memory with having any immediate hand in drawing up the particular letter or paper, on which the present measure was supposed to be taken. He said, he thought it was perfectly justifiable, and was willing to share in the consequences. Yet he could not see how it was fair in argument to charge administration here with specific measures taken in Ireland; nor could he conceive, either positively or by implication, that he or his colleagues in office were bound in any manner by what passed in another

* This seems to want explanation. The question was not singly whether the removal was legal, but whether promise or engagement that Great Britain should pay for the troops, was not illegal?—It is not improper to add, that the Parliament held at Dublin, in the year 1769, in the administration of Lord Townshend, passed an act, entitled “An act for granting to his Majesty an additional duty on beer, ale, strong waters, wine, tobacco, hides, and other goods, &c. &c.” in which it is expressly declared, “That a part of these duties is granted, and shall be appropriated for the payment and maintenance of 15,046 effective men, commission and non-commission officers included;” and further recites, “in order to enable your Majesty to carry into execution your Majesty's gracious intentions and determined resolutions, signified to us by his excellency the late Lord Lieutenant, by your Majesty's command, to *keep within this kingdom, for the necessary defence of the same, 12,000 effective men, commission and non-commission officers included, at all times, unless in cases of invasion or rebellion in Great-Britain, and to defray the other necessary expences of your Majesty's government, we do most humbly beseech your Majesty, that it may be enacted, and be it therefore enacted, by the authority aforesaid, &c. &c.*”

king-

kingdom. To some allusions made by Mr. Dunning and Mr. Gordon, relative to the Hanoverians being sent to Gibraltar and Minorca, and the fate of the indemnity bill, he replied, he thought the measure perfectly legal, and was ready to meet his adversaries on that ground whenever they thought fit. He gave a history of the indemnity bill, and in a humorous way, proved that it was thrown out by a noble Marquis [Rockingham] in the other House. If foreign troops was an improper measure, the minister in Ireland acted perfectly right, for he declined to support it; and finished with observations on the German resources, and the poverty of the civil list.

Lord *John Cavendish* rose to give his attestation of the personal worth of Lord Harcourt. He observed, that his Lordship had been little acquainted with public business, till his late appointment; therefore, if it was his own measure, he was much the more excusable; but he believed it was not. However, if it was not, as the Irish nation had been too wise and too spirited to accept of one part of the proposal; and as ministers, whatever they might affect to the contrary, had not dared to send a single man out of Ireland, on such an authority, the matter hardly deserved the time and attention some gentlemen seemed willing to bestow on it. The people of Ireland had already done half the business, by refusing the offer; the ministry had in fact done the other half, from their own fear; so that on the whole, he did not desire to send the matter to a committee, but wished to come to some decisive resolution, which would condemn the whole transaction, without any particular reference or application to those who might be supposed to have first planned, or endeavoured to carry it into execution.

Lord *George Germain* contended, that whatever might have been the sense of the message, his Majesty's servants could not be supposed to be strictly answerable for its contents. He said, that Lord Harcourt might have mistaken, or exceeded his instructions. He did not know he did, or he might have conveyed his meaning in the clearest terms; but yet, whether he did, or did not, the first part of the message only proposed a matter to the consideration of the Irish Parliament, clearly and legally within the constitutional exercise of the regal power. If his Majesty had not given his royal promise to keep 12,000 men within the kingdom, he might have ordered the whole, or any part of the troops on that establishment, to any part of the British dominions he pleased, without

out applying to the Parliament of either kingdom. He said he had heard a great deal of what passed in debate in the House of Commons of Ireland, but he could not perceive what direct relation it bore to what was now under consideration. The efficient minister, as he was called, was likewise much spoken of. Sir John Blaquiere said this, and Sir John Blaquiere said that; but for his part, what Sir John Blaquiere said one way or the other, was of no great consequence. He knew a Sir John Blaquiere, and had been in conversation with him, but in what way what he said could be made a ground of censure on a British ministry, was more than he could reconcile to the relation they really stood in to each other; if they stood in any. He confessed the measure of paying for 8000 men, when we were to have the service of but 4000, was extremely unœconomical, and he thought very improper; yet if 4000 men could be had upon no better terms, and that it was supposed it might be more proper to send natives than foreigners to America, the measure on that account, and that alone, might be defended.

Lord Irn-
ham.

Lord *Irnham*. As I am just return'd from Ireland, where I have attended closely to the proceedings of that Parliament, it may be expected from me to say something on the present question. I shall therefore endeavour to shew the House, whether the honourable gentleman now in my eye, [Mr. Conolly] and a member of that Parliament, as well as of this, has given you a true account of the conduct of government there, relative to the matter now before you; or whether the representation of it by the gentlemen who oppose the right honourable member's motion ought most to be relied on. The doubt to be cleared up is, what was really the meaning of government there in the message sent to both Houses of Parliament? The words of the message have been already read to you, and it has been very ingeniously, though somewhat *variously* explained, by the gentlemen of the treasury-bench: but the lord lieutenant's secretary (who as a noble Lord on that bench, and other gentlemen who hear me, and as well as his Lordship have held that office, well know is always considered as the minister in the Irish House of Commons) clearly expressed and interpreted the meaning of it; which was, that the Irish Parliament should consent to the introducing into that country 4000 foreign protestants, Hessians and Brunswickers, to be paid by Great Britain; in consideration of which, they should assure his Majesty of their readiness to spare 4000 men of the troops on the Irish
esta-

establishment for the service in America, to be likewise paid by Great Britain; and it was expatiated upon by him and all those who spoke on the side of government, how advantageous such an offer must be, which provided equally for the safety of Ireland, as if their own troops had remained in it, and would moreover bring 80,000 pounds of English money into that kingdom. The speech was answered by addresses from both Houses---*that* of the Lords immediately to the King; *that* of the Commons to the Lord Lieutenant; in substance the same, as returning thanks for the offer, but refusing the introduction of the foreign troops; proving that they chose to defend their country, even in its present precarious situation, by the exertion of their own efforts, rather than to adopt so unconstitutional and dangerous a measure; which sentiment of theirs certainly did them honour: but at the same time they consented by address, to send to America the 4000 additional troops requested of them; both Houses understanding, however, (as it is well known) that an act should be passed to legalize the terms of the said address, as the crown had precluded itself by act of Parliament from the power of sending more than about 3100 men out of that kingdom, which number it had already *exceeded*. A bill was accordingly brought in, wherein were inserted two clauses calculated to effect that purpose; but to the astonishment of the public, those clauses were thrown out in England: and an act was again passed, barring the crown from the power of sending any more troops abroad than would leave 12,000 men on that establishment for the defence of Ireland, and consequently the effect of the addresses of both Houses was thereby destroyed, whilst at that very time government declared its resolution to send those 4000 men to America, in conformity to the addresses of both Houses, and signified, that they did not consider the crown as bound by the act to which the royal assent has just been given, to keep 12,000 men in that kingdom, under pretence of its not being in the *enacting part*, though in the *preamble* of the act: but whoever reads it, will find that compact not only in the preamble, but also so strictly tied to that part of the act which grants the subsidy, (being about 450,000 pounds) that if the crown is not bound thereby, above two-thirds of the concessions from the crown to the subject by act of Parliament since *magna charta*, will fall to the ground, and the crown has forfeited its right to those subsidies. I remember upon this being hinted at by some members of the Irish Parliament, too sanguine

guine for government, the law servants of the crown (men of the greatest abilities) avoided standing on that ground. As to the present lord lieutenant of Ireland, of whom many handsome things have been said by gentlemen on both sides of the House; those qualities mentioned, are, I apprehend, relative only to his private character, which merely as such has, I think, good ingredients in it: but we don't sit here to discuss *private* characters; his ministerial and public one is what we are to consider, and I will speak out---the talents and abilities of that minister of the crown, are by no means equal to his station. Two millions and a half of people is a trust of too great weight for him to sustain; and he has sufficiently avowed his incapacity to govern them, by delegating all his power to his secretary. To conclude, the measures pursuing there, being illegal, must displease the best and soundest part of his Majesty's subjects; and though for certain purposes the ministry have this day spoken very advantageously of Ireland, should they go on in acting as they do, they will meet with the united efforts of that country in opposition to their attempts; and then, instead of panegyric, they will call out to this House for *restraining* and *incapacitating* bills, to punish that kingdom as they have done America. Let me therefore recommend to the noble Lord now at the helm, to attend whilst it is time to that alarmed part of his Majesty's most affectionate subjects, and to forgive me if I heartily intreat him to apply his utmost care to rectify the errors of government in that kingdom. In the present case now before us, the conduct of administration, relative to the message from Lord Harcourt to the Irish Parliament, has been unconstitutional and highly blameable. I am therefore to thank the right honourable gentleman for the motion, and to express my hearty concurrence in it.

Mr. Fox.

Mr. Fox observed, as the administrations of both kingdoms were totally unconnected, so was every individual who composed them. No two of the confidential servants of the crown who spoke, agreed in a single sentiment. Some allowed the message to import what was stated in the complaint; others acceded to a part, while a third was so modest as to contend, in defiance of every rule of rational and obvious construction, that the message meant the reverse of what, in the very face of it, it manifestly intended: but in this diversity of opinion, there was one thing too curious to pass unnoticed, that was the language used by two or three members of administration, which was describing the mini-

minister of the House of Commons in Ireland, and the Speaker, under the undefined terms of one Edmund Sexton Perry, and one Sir John Blaquiere.

Mr. *Attorney General* said, the motion was a party squib, not worth attending to ; and that the preamble to an Irish act of Parliament did not bind the Parliament of Great Britain.

Governor *Johnstone* said, the ministers here throw all the blame upon the ministers in Ireland.

Lord *North*, gave a great encomium on the administration of Ireland, since the appointment of the present Lord Lieutenant ; observing, that no better proof could be given of it, than that it was attended with uncommon success.

Mr. *Conolly* observed, it was no wonder the government of that kingdom should be attended with success, when 265,000l. had been raised on a ruined impoverished country. [Here he was proceeding to shew how unable the Irish were to bear such a burden ; and to give a detail of the pensions that had been lately granted, the places that had been newly created, and the various means that had been employed to influence and corrupt the representatives of the people, when he was interrupted by Lord North, as applying to matters not at all relating to the subject of the present debate.]

Mr. *Fox* insisted, that the matter stated by his honourable relation was perfectly within order ; that it grew directly out of the subject of debate ; and that if his Lordship appealed to the success of administration in Ireland, as a proof of the wisdom or mildness of the government there, it was no less fair in argument, than consonant to order, to shew the true causes of this boasted success. [Here the altercation was put an end to, by the question being called for.] The question was put on Mr. Townshend's motion for a committee. The House divided ; for the motion 106, against it 224.

A motion was made, and the question being put, that the votes of the House of Commons of Ireland, printed by the order of the Speaker of that House, of the dates of the 23d, 28th, and 29th of November, and the 25th of December last, last, be delivered in at the table and read ; it passed in the negative.

A motion was made, and the question being proposed, that it is highly derogatory to the honour, and a violent breach of the privileges, of this House, and a dangerous infringement of the constitution, for any person whatever to presume to pledge his Majesty's royal word to the House of Commons of the Par-

liament of Ireland, "That any part of the troops upon the establishment of that kingdom shall, upon being sent out of that kingdom, become a charge upon Great Britain," without the consent of this House; or for any person to presume to offer to the House of Commons of the Parliament of Ireland, without the consent of this House, "That such national troops, so sent out of Ireland, shall be replaced by foreign troops, at the expence of Great Britain;" and the question being put, that the question be now put, it passed in the negative.

February 16.

Not a sufficient number of members for a ballot.

February 17.

Nothing done. Adjourned to the 19th.

February 19.

No debate.

February 20.

Mr. Fox.

Mr. Fox said, he should not trespass on the patience and good sense of the House, in recapitulating the cause of the present unhappy disputes with America. He should not developé that system, whence the measures now carrying on were supposed to originate. He should forbear to animadvert upon a system, that in its principles, complexion, and every constituent part, gave the fullest and most unequivocal proofs that its ultimate design was the total destruction of the constitution of this free form of government. These were assertions that might be disputed. People who had, or perhaps had not the best opinion of the abilities of those in power, might have a confidence that they intended nothing ill. Others, though they disapproved of their general conduct, might either think them the dupes of their secret supporters; and even such as thought the most indifferent of them would be disposed to look upon them rather as tools, than arraign them as principals in so unnatural and horrid a conspiracy against the liberties of their country. But what might be the secret designs of a junto, or the venal alacrity of the despicable cyphers they employed to effect their traitorous purposes, was, he said, to be no part of the subject of enquiry this day. He did not mean to tease or insult the House with idle surmises, with floating vague suspicions, leading to partial deductions or speculative charges, conceived and spun out of his own brain; but wished to draw their attention to certain well known, indisputable, uncontroversial facts. His proposed enquiry would not be directed

to ascertain the rights of Great-Britain, or the subordinate claims of America, to explain the constitutional connexion between taxation and representation; what was rebellion, or what legal resistance; whether all America ought to have been punished and proscribed for the intemperate zeal or disobedience of a Boston mob. He did not even mean to dispute or controvert the expediency; nor in short, a single ministerial ground, on which the present measures respecting America were taken up, pursued, and defended. Those were all, for this day at least, to be absolutely laid aside. For argument sake he would allow, that administration had acted perfectly right; but while he granted this, he would take up the matter from the very instant administration had agreed upon a plan of coercion. This æra he fixed at the time the minister first proposed certain resolutions to the House in February 1774, as a ground of complaint, and followed it with the famous Boston port-bill. He then entered into an historical detail of the means employed to carry this plan of coercion into effect, in which he painted in the strongest colours, and held to view in the most striking lights, such a scene of folly in the cabinet, servile acquiescence in Parliament, and misconduct and ignorance in office and the field, as never before, he said, disgraced this nation, or indeed any other. He added, that our ministers wanted both wisdom and integrity, our Parliaments public spirit and discernment; and that our commanders by sea and land, were either deficient in abilities, or which was the most probable, had acted under orders that prevented them from executing the great objects of their command. No man could say but there had been mismanagement and misconduct somewhere. It was the chief object of his intended motion, to gain that species of information, which might be the means of discovering the true causes of both. Public justice demanded such an enquiry. The individuals on whom the obloquy rested, were entitled to be heard in their own defence. To withhold the information necessary to their justification, would be an insult to the nation, as well as an act of private injustice. None but the guilty could wish to evade it. No man as a soldier or sailor, be his rank ever so high, was sure of his honour a single minute, if he was to be buried under public disgrace, in order to shield, protect, or palliate the blunders and incapacity of others. If the ministers had planned with wisdom, and proportioned the force to the service: if the great officers in the several efficient departments,

had done all that depended on them, ably and faithfully, then it was plain, that the whole of the miscarriages that have happened may be deservedly imputed to our naval and military commanders. If, on the other hand, the latter acquitted themselves according to their instructions, and carried on their operations in proportion to the force, it was no less plain, that the cause of all the disgraces the British arms have suffered, arose from ignorance in those who planned, and incapacity and want of integrity in those to whom the carrying them into execution was in the first instance entrusted. He then recapitulated a great many circumstances to prove his general allegations, and entered into the conduct of administration respecting Canada, and repeated several arguments used at the time of the passing of the Quebec act, predicting what has since literally happened. He concluded by making the following motion:

That it be referred to a committee, to enquire into the causes of the ill success of his Majesty's arms in North-America, as also into the causes of the defection of the people of the province of Quebec.

Lord Offory. Lord *Offory* seconded the motion, and said, he could not perceive how any member in that House, who was unconnected with the ministry, and at the same time wished success to the American war, could be against it.

Lord Clare. Lord *Clare* quoted the speech from the throne. He insisted, that was orthodox, and ought not to be questioned, particularly as nothing material had happened since, which could induce the House to alter its opinion. He insisted that the measure respecting the Hanover troops, was perfectly justifiable, and that the plea of necessity was never better founded than on that occasion. His lordship moved the previous question.

Rt. Hon. T. Townshend. Right honourable *T. Townshend* said, that the present motion would be a true test of what might hereafter be expected from them; for if they opposed it, it would fairly prove, that in smothering the enquiry, they intended to cover themselves from public disgrace, by a vote of that House.

Lord Mulgrave. Lord *Mulgrave* defended the naval operations: He contended, that the war was just and constitutional; that it was well conducted, and predicted that it would be happily and gloriously terminated.

Hon. Mr. Fitzpatrick. Honourable Mr. *Fitzpatrick* replied to his Lordship, and remarked, though every thing he said was well founded, the conclusions he drew by no means followed. He insisted, that the

the whole of the American business, from the very beginning, had been planned in absurdity, accompanied by negligence, and executed in a manner which evidenced the very excess of ignorance, incapacity, and misconduct. That the House were called upon by the whole nation, and in vindication of their own honour; to exact an account from the servants of the crown, of the causes of the mismanagement of the American war, and to bring the authors to condign punishment, or at least to dismiss them, as no longer worthy of discharging the high and important trusts delegated to them.

Sir *Gilbert Elliot* said, that the troubles now subsisting in America are of much a longer standing, though they had not assumed the present form, than the honourable gentlemen who spoke on the other side supposed, for they commenced ten years ago. He insisted, that if such an enquiry were at all proper, this was not the time. Several persons who would be the subject, as well as those whom it would be proper to examine in order to procure information, were at present on their proper stations in America; and others that are not employed, are not yet returned home. Taking it either way then, if no enquiry ought to be gone into, there was an end of the motion. If there ought to be an enquiry, the present motion was premature, neither the parties charged, nor those that could properly give the necessary information, being on the spot.

Mr. *Dempster* said, he was sorry to see such a disposition in administration to stifle and quash all enquiry. It looked as if they wanted to conceal something they were both afraid and ashamed should be brought to light. He, therefore, if ministry were not determined to confirm all the suspicions that had been entertained of them, both within and without doors, thought it was their interest, as it was their duty, to do all in their power to exculpate themselves, for he could assure them, however sure they might be of a majority, some of their best friends began to doubt the truth of their assurances, and the possibility of carrying their plans into execution. He then turned, and took a short view of the Quebec bill, and concluded by solemnly averring, that in his opinion, no Turkish emperor ever sent a more arbitrary and oppressive mandate, by a favourite bashaw, to a distant province, than that bill was, with the instructions to the governor, which accompanied it.

Right honourable *Welbore Ellis* said, that gentle moderate measures were unhappily pursued, when the situation of America

Sir *Gilbert Elliot.*

Mr. *Dempster.*

Rt. Hon. *Welbore Ellis.*

rica called for the most strong and decisive. Thank God, says he, this mistaken system is now at an end: A powerful fleet, and a powerful army, are now going out, and I have not the slightest doubt that they will be sufficient to crush the rebellious Americans, and bring them back to a proper sense of their duty.

Mr. Adam. *Mr. Adam* said there had been very shameful neglect somewhere; that for that reason, he should be willing to go into the enquiry, and trace it to its source. That either we knew America was preparing, and failed to make the necessary preparations, or were guilty of very criminal negligence, in not procuring proper information. This he instanced in the want of convoys for the transports which sailed early in the autumn.

Mr. Hey. *Mr. Hey*, chief justice of Quebec, went into a defence of the Quebec bill; gave an historical account of the place and people, their manners, customs, and disposition; said he knew them well, as he had lived among them for upwards of seven years; and by all he could ever learn, the people of Canada never wished nor expected that the Parliament should controul or superintend the King's government of that country. He then made an encomium on General Carleton; who, he said, had not been properly supported from hence.

Gov. Johnstone. *Governor Johnstone* observed, that some gentlemen on the other side had insisted, if an enquiry was at all proper, it would be at the end of a war, not the beginning; for his part he was of opinion the earlier the better; nay, indeed, the first moment that the situation of affairs called for it; and he could not avoid being for it, though no other motive operated on him but the extreme reluctance shewn by several gentlemen; for where there was no guilt or conscious incapacity, there no fears could arise; said, if no enquiries had been set on foot, both in the beginning and middle of wars, probably the two last would not have ended so successfully. This he shewed in the instances of Lestock, Matthews, Byng, &c. It was true, ministers always trembled at enquiries, they were usually fatal to their power; so it happened at both the periods alluded to, and that was another reason why he was for the motion; for he was sure the present ministry were as unequal to the task of making war, as they were incapable of procuring good terms of peace or conciliation; the undertaking was too ponderous and unwieldly for them. He mentioned Lord North's attempt to negotiate with the American congress, and the contempt with which his offer was treated; stating

A. 1776.

D E B A T E S.

stating the fact from the journal of the congress, published by their own authority.

Lord *North* disavowed it; declared he had never, directly Lord *North*, nor indirectly, communicated, nor caused to be communicated, any letter or paper, to the congress. He admitted the paper published in the journal of the congress, contained his sentiments, but that was all.

General *Burgoyne* defended the operations of war in Ame- General *Burgoyne*.
rica.

Mr. *Cruger*. The honourable gentleman who opened this Mr. *Cruger*. debate, has spoken so fully and eloquently to every part of the question, that any thing farther in support of this motion may appear unnecessary. But, Sir, when a subject of so much importance is before the House, it behoves every man to lay aside the reserve of diffidence, and express his sentiments with freedom and candour.

If there is any point in which the different interests of this House should unite, it must be in a conviction of the necessity and expediency of enquiring into the causes of the present alarming state of public affairs. By discovering what has proved ruinous in the past, we may learn at least to avoid the same pernicious steps for the future. If their measures have been conducted with justice and prudence, 'tis a duty which administration owe to their characters, to disarm, by a free examination, that censure on their conduct which may possibly arise from ignorance. But if they love darkness rather than light, "because their deeds are evil," it becomes the guardians of the nation to drag their miscarriages into open day, and expose them, with all their deformities, to public investigation.

If such an enquiry was ever necessary, the present time demands it. If we look to the past, one uniform train of disappointments and misfortunes crowd the view: if to the future, a gloomy prospect of encreasing miseries, from a continuance of the same left-handed policy and ill-projected measures.

We are involved in a war, in which success itself will be ruinous. The colonies, as if animated with one soul, are determined to perish or be free. We are told they must be subdued. We shall soon be called upon to make new exertions by force. Every thing wears the face of hostile preparations; and, as if disappointment could create confidence, we are urged to pursue the same fatal measures, by arguments drawn from their miscarriage: "Nothing, 'tis now said, will

will satisfy America but independence; that the people of that country have almost universally taken up arms; they act not only on the defensive, but have endeavoured to deprive you of all Canada; an enquiry, they say, would produce a fatal procrastination; the urgency and necessity of the case demand and justify immediate vigour and execution. These must be pursued, or the government of the colonies surrendered to an ambitious congress."

Such are the reasons advanced to preclude enquiry, and to procure a hasty acquiescence in schemes of policy, on which the fate of the empire so materially depends. By such arguments as these our jealousy is excited, and our resentment inflamed against a people, who, after the most earnest endeavours to preserve their liberties from invasion by petition and remonstrance; after having repeatedly submitted their complaints (without effect) to the justice of Parliament, and laid them humbly at the foot of the Throne; after beholding the most formidable preparations to divest them of their rights by the sword; after finding hostilities already commenced and fresh violences threatened, have taken up arms in their own defence, and endeavoured to repel destructive force by force.

The complexion and character of their present opposition (whether unjust or honourable) rests not on their present measures, but arises from, and must be weighed by, the causes, which have made such a conduct and such measures necessary. A free and impartial enquiry, therefore, into the leading and primary causes, is indispensibly necessary to a just decision of the case. If their claims of exemption from Parliamentary taxation are founded in equity and the principles of the constitution; if they have been driven by a wanton, cruel, and impolitic attack on their privileges to their present desperate defence; then, the whole guilt and censure is chargeable on those, and those alone, whose ambition and ill-directed measures have forced them to these extremities. Thus, also, if a form of government is introduced into Canada, (breathing little of the spirit of English liberty) and intending to link the Canadians to the chain of ministerial influence; if they scrupled not to make a religion, which has so often deluged Europe with blood, an engine of their despotism to crush the Protestant colonies; if every artifice was used to seduce and employ a servile, bigoted people to subvert the liberties of America, can we wonder, can we complain, if the colonists wisely diverted the storm, and secured

ed a country to their own alliance, the strength and arms of which were avowedly to be directed to their destruction?

When what was dearer to them than their lives---their liberties, were at stake; when their opposition to government reached no higher than petition and resolves, then they were stigmatized with want of courage. Every method was taken to irritate them. Insults on their character as a people were added to encroachments on their rights as citizens. The pencil of confident oppression described them as a herd of pusillanimous wretches, whom the appearance of martial array would terrify into submission. How unjust, how impolitic, to reduce men to the miserable alternative of being branded with the epithet of cowards, or of taking up arms to vindicate their injured honour and liberties; first to compel them to resistance, and then derive arguments of their guilt from their vigour, courage, and success. How contemptible the cause which pleads the misfortunes it has occasioned, as reasons for its support!

The arguments of administration, stripped of their false colourings, with all humility, I conceive to be these: "We have plunged Great-Britain into a most expensive and ruinous contest with her colonies; we have opened the door for endless animosities, by reviving disputed questions and claims which shake the foundation of empire. The measures we have pursued have increased the storm, and multiplied the common misfortunes. We have joined all America in a firm league against you. Your trade has been impaired; your ships insulted and taken. We have lost for you every place of strength or importance in the colonies; and have left you an army broken by sickness, fatigue, and want, and now perishing under all the mortifications, ignominy, and miseries of an inglorious imprisonment." These, say they, "are our pleas for support; these are the recommendations of our councils. We lay before you the miscarriages and evils which our past measures have produced, to persuade you to place new confidence in our wisdom, and to give more liberal aid to our judicious schemes for the future."

These, however, are not the only blushing honours which deck the temples of administration. They have lately displayed the happy art of drawing arguments in their favour, from the misfortunes of their friends, as well as from the success of their enemies, and prove that they are as incapable of gratitude as of justice. When gentlemen in this House (influenced by motives of humanity) recommended an excep-

tion of the friends of government in the colonies from the rigours of the late prohibitory bill, administration suddenly changed its voice ; and they who just before had boasted that a majority of the Americans were friendly to their cause, and only waited an opportunity to declare it with safety, now pronounced, that no distinction could be made, for that they had preserved at best “ a shameful neutrality,” and deserved to be subject to the common calamity of their country. This, was the liberal reward bestowed on men who espoused their cause from principle, and maintained it undaunted and unsupported, through obloquy, and the most imminent danger to their fortunes, families, and lives.

I will not at present trespass on the patience of the House, by entering into particulars, but I cannot forbear saying, the friends of peace and good order in the province of New-York, did not deserve to be reproached with a shameful neutrality ; they stood forth, and opposed, as long as they were able, the increasing current of tumult and disorder, and exposed themselves, by their endeavours to preserve their colonial constitution, to the resentment and vengeance of their incensed neighbours. In a dutiful manner they submitted their grievances to the clemency of this House, and the justice of their Sovereign. I need not insist on the consequence. I shall not dwell on the contempt with which their zealous advances to a reconciliation were rejected. But this I must desire, all those who declaim on their ignominious neutrality, to remember, that administration not only neglected to aid them with a force sufficient to maintain their opposition against the zealots in their own province, and the united powers of the adjacent colonies, but withdrew to Boston the few troops under the command of general Haldimand, which might have assisted in preserving order, and the freedom and impartiality of public proceedings. By such means the colony was laid open to incursions ; many were obliged to secure their persons from danger, by forsaking their friends and country, and leaving their property at the discretion of their enemies, whilst a greater number waited, with silent patience, under every affliction, for the vigorous protection of Great-Britain.

Their zealous and firm adherence to their principles, crown them with honour ; that they have not been successful, that they were borne down by the superior force of their opponents, that they are left to share in the common distress and common punishments of their unfortunate countrymen,
beams

beams no lustre, however, on the characters of those by whom they were neglected, betrayed, and sacrificed.

By this impolicy (to call it by no harsher name) the command and management of the key and main spring of America, has been lost to this country; a speedy and effectual security of which, might have saved us from the present gloomy prospect of intestine carnage and accumulating misery. Surely, the representative body of the nation are bound in duty to their constituents, to examine the reasons of such neglect and misconduct; and they in particular, who are the asserters of parliamentary supremacy, are concerned to enquire why so effectual a method of weakening the opposition in America, and supporting their own adherents, has been totally omitted.

But there is no necessity of dwelling on this circumstance, to prove the obligations this country is under to ministers; disappointment and disgrace have marked all their measures, and, as if miracles had been wrought to strike conviction on this House, they have not once even blundered into success. It may therefore, reasonably be hoped, that before we blindly follow any farther, we may not only contemplate our present situation, and the ground we have already passed, but pay particular attention to that which lies before us.

Admitting (for the present) however, Sir, that a force sufficient to subdue them can be sent out; admitting that this country will patiently bear the enormous weight of accumulated taxes, which so distant and unequal a war will require; admitting that foreign powers (the natural enemies of Britain) will with composure and self-denial neglect so favourable an opportunity of distressing their rivals; admitting that your fleets, unopposed, level with the ground those cities which rose by your protection, were the pillars of your commerce, and your nation's boast; admitting that foreign mercenaries spread desolation, that thousands fall before them, and that, humbled under the combined woes of poverty, anarchy, want and defeat, the exhausted colonies fall suppliant at the feet of your conquerors; admitting all this will be the case, (which cannot well be expected from the past) here necessarily follows a most momentous question: What are the solid advantages which Great-Britain is to receive in exchange for the blessings of peace and a lucrative commerce? for the affections, for the prosperity, for the lives of so many of its useful subjects sacrificed?

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Will the bare acknowledgement of a right in Parliament to tax them, compensate for the millions expended, the danger incurred, the miseries entailed, the destruction of human happiness and life that must ensue from a war with our colonies, united as they are in one common cause, and fired to desperate enthusiasm by apprehensions of impending slavery? Or can we be so absurd as to imagine concessions extorted in a time of danger and urgent misery, will form a bond of lasting union? Impoverished and undone by their exertions and the calamities of war, instead of being able to repay the expences of this country, or supply a revenue, they will stand in need of your earliest assistance to revive depressed and almost extinguished commerce, as well as to renew and uphold their necessary civil establishments.

I am well aware, that it is said we must maintain the dignity of Parliament. Let me ask, what dignity is that which will not descend to make millions happy, which will sacrifice the treasures and best blood of the nation to extort submissions, fruitless submissions, that will be disavowed and disregarded the moment the procuring oppressive force is removed? What dignity is that which, to enforce a disputed mode of obtaining a revenue, will destroy commerce, spread poverty and desolation, and dry up every channel, every source from which revenue or any real substantial benefit can be expected?

Is it not high time then, to examine the full extent of our danger, to pause and mark the paths which have deceived us, and the wretched, bewildered guides, who have led us into our present difficulties? Let us find the destroying angel, and stop his course, while we have yet any thing valuable to preserve. The breach is not yet irreparable; and permit me, with all deference to say, I have not a doubt, but that liberal and explicit terms of reconciliation, with a full and firm security against an oppressive exercise of parliamentary taxation, if held out to the colonies before the war takes a wider and more destructive course, will lead instantly to a settlement, and recall the former years of peace, when the affections and interests of Great-Britain and America were one.

But, if, on the contrary, we are to plunge deeper in this scene of blood; if we are to sacrifice the means and materials of revenue for idle distinctions about modes of raising it; if the laurels we can gain, and the dignity of parliament we are to establish, can be purchased only by the miseries of fellow-subjects, whose losses are our own; if the event

event is precarious, the cause alien to the spirit and humanity of Englishmen; if the injury is certain, and the object of success unsubstantial and insecure, how little soever the influence my poor opinion may have on this House, I shall free my conscience, by having explicitly condemned all such unprofitable, inadequate, injudicious measures, and by giving my hearty concurrence to the motion.

Mr. *Burke* shewed from the records of Parliament, and Mr. *Burke* from history, that nothing was more frequent than enquiries of the kind now proposed; and observed, at no time within the course of his reading, did he ever recollect a period at which such a proceeding was more absolutely necessary than the present.

Mr. *Graves* wished to wait for the event of another campaign before the House should offer to go into an enquiry; and as for what had already passed, justice required that the parties should be in a situation to answer for themselves.

Mr. *Solicitor General* undertook to defend administration Solicitor General throughout, not only relating to what they had already done, but every action of theirs, and every consequence arising from their conduct. He insisted that the war was just, proper, and expedient, that the ministers abounded in wisdom, and the army and navy in military prowess.

Colonel *Barré* was extremely severe on several of the positions laid down by the last honourable gentleman; he compared him to the Abbé Polignac, whom he described as a pert, affected, little, political prater; with some personal allusions to the talents, manner, and disposition of the man, which created some mirth. But in a serious manner he seemed to charge the gentlemen opposite to him [Messrs. Elliot, Ellis, Wedderburne, &c.] with the loss of America. With an emphasis he said, Give us back our colonies! You have lost America! It is your ignorance, blunders, cowardice, which have lost America. He had heard the noble Lord [Lord George Germain] called *the Pitt of the day*. He saw no great sense in the words. They conveyed to him that there had been a Mr. Pitt, a great man, but he did not see how the noble Lord was like him. He said, that the troops, from an aversion to the service, misbehaved at Bunker's-Hill on the 17th of June. He condemned administration in the strongest terms. He told them, that their shiftings and evasions would not protect them, though they should be changed every day, and made to shift places at the pleasure, and sometimes too for the sport of their secret directors. He observed, that

that the late appointment of a new secretary of state, was a proof that some weak, and perhaps foul proceedings had happened, which made such an arrangement necessary; but though changes might happen every day, he was well convinced measures never would, till the whole fabric of despotism fell at once, and buried in its ruins the architects, with all those employed under them. He reminded the House how often, in the course of the two last years, he had foretold almost every matter that has happened. He begged once more to assure them, that America would never submit to be taxed, though half Germany were to be transported beyond the Atlantick, to effect it.

Gen. Burgoyne.

General *Burgoyne* rose with warmth, and contradicted the last honourable member in the flattest manner. He allowed that the troops gave way a little at one time, because they were flanked by the fire out of the houses, &c. at Charles-Town; but they soon rallied and advanced; and no men on earth ever behaved with more spirit, firmness, and perseverance, till they forced the enemy out of their entrenchments.

Col. Barré.

Colonel *Barré* observed, that the honourable gentleman had contradicted him in a very extraordinary and unbecoming manner, and maintained his first assertion, that the troops misbehaved.

Gen. Burgoyne.

General *Burgoyne* apologized, confessed he had spoke in harsher terms than he would have done had he not been off his guard. He admitted that the troops gave way a little; but that they were rallied, and returned to the charge with great spirit. He was an eye-witness of the whole affair.

Lord Howe.

Lord *Howe*, said it was impossible to go into the proposed enquiry with propriety, though the House were ever so well inclined. He defended the conduct of the commanding officers, and said that the whole of what had happened last year, proceeded from our not being acquainted with the designs of the provincials.

Lord North.

Lord *North* rose at half after one, declared he had no objection to an enquiry at a proper season; but agreed with his right honourable friend [Sir Gilbert Elliot] that this was not the time. As America had changed, so had Britain, in consequence of that change. The question was now, he contended, totally altered, and what in one situation would have been acting a wise part, would now be supineness, negligence, or something worse. It was therefore a very unfair way of arguing, in his opinion, to state objections against the conduct of administration in the early stages of this business, which

which were only applicable to a state of hostility and open rebellion; the ground was changed, so would the measures of course. He appealed to the candour and recollection of the House, if any thing had been done in a corner, but openly, and according to their repeated judgment. As to the measures which had been taken before he came into office, he said, he was not answerable for them, but was ready now, if the House thought proper, or at any time, to stand the most rigid enquiry and examination into his own conduct. If miscarriages had happened, it was no more than what was common. It was impossible to foresee all the consequences, or to provide against every accident which might arise. He protested he did not seek for his office, and was at any time ready and willing to resign it, whenever a person more capable or fonder of power, was found to succeed him. He observed, that an honourable gentleman, early in the debate, had charged administration with wickedness, ignorance, and neglect. He was certain he was mistaken in the first, and the two others yet remained to be proved.

Mr. *Fox* replied to the arguments urged against his motion. Mr. *Fox*.

At half an hour past two o'clock, the previous question was put, and the House divided, ayes, 104; noes, 240.

February 21.

Private business.

February 22.

The same.

February 23.

No debate.

Adjourned to the 27th.

February 27.

No debate.

February 28.

Sir *George Savile* presented petitions from Thomas Rumbold and Francis Sykes, Esqrs. praying to rescind the resolution on the Shaftesbury election. After debate the petitions were received, but the House divided on the motion to rescind; for it 143; against it 169. Sir *George Savile*.

It was then moved to appoint a committee to take the matter into consideration. The House divided again; for the motion 137; against it 142.

February 29.

Lord *North* moved, that the treaties entered into between his Majesty, the Landgrave of Hesse-Cassel, the Duke of Brunswick, and the hereditary Prince of Hesse-Cassel, (See Lord *North*.

(See the treaties, page 287) be referred to the committee of supply. He urged the necessity of the measure, and the great effects he expected from it. He said, no questions could arise upon it but three, all of which were too plain to require much elucidation. Whether the troops proposed to be hired were wanted? Whether the terms on which they were procured, were advantageous? and, Whether the force was such as might be deemed fully adequate to effect the operations for which it was intended? As to the first point, he said, that reducing America to a proper constitutional state of obedience, being the great object of Parliament, the best and most speedy means of effecting so desirable a purpose, was the motive which induced administration to adopt the measure, because men could be readier had, and upon much cheaper terms in this way, than we could possibly recruit them at home. On the second, he observed, that not only in the view of comparative cheapness with home levies, but as referring to former times, the present troops would cost us less than (taking all the circumstances together) we could have expected. And lastly, that the force which this measure would enable us to send to America, would be such, as in all human probability, must compel that country to agree to terms of submission, perhaps without any further effusion of blood.

Lord John
Cavendish.

Lord *John Cavendish* reprobated the measure in all its parts. He observed, that the present was the first alarming consequence of the American war. Britain was to be disgraced in the eyes of all Europe; she was to be impoverished; nay, what was, if possible, worse, she was compelled to apply to two petty German states in the most mortifying and humiliating manner, and submit to indignities never before prescribed to a crowned head, presiding over a powerful and opulent kingdom. First, the troops were to enter into pay before they began to march---a thing never known before. Secondly, levy-money was to paid at the rate of near 7l. 10s. a man. Thirdly, not satisfied with this, those petty princes were to be subsidized. Fourthly, they have had the modesty to insist on a double subsidy. Fifthly, the subsidy is to be continued for two years in one instance, and one year in the other, after the troops have returned to their respective countries. And lastly, a body of 12,000 foreigners are to be introduced into the dominions of the British crown, under no controul of either King or Parliament, for the express words of the treaty are “that this body of troops (Hessians) shall

shall remain under the command of their general, to whom his most Serene-highness has entrusted the command."

Mr. *Cornwall* assured the House, that he had a better opportunity of knowing the means of treating with German princes, and of procuring troops, than any man in it. That his situation for many years (as clerk in the German pay-office last war) gave him this opportunity; and that he was astonished to hear any gentleman, conversant with German connections, call the present terms disadvantageous. He contended, that the two months previous pay allowed to the duke of Brunswick, was no more than a *douceur*; and insisted that they were all had on lower terms than was ever known before, especially if the business should be effected within the year, of which he had no reason to doubt.

Lord *Irnham*. I am to ask your pardon for appearing so solicitous to give you my sentiments, just at this period of time, but it is to answer the honourable gentleman of the treasury bench, who is, I know, a perfect master of the German affairs, and to submit to him, in this stage of the business, my doubts as to the competency of the Landgrave of Hesse, and the Duke of Brunswick, to make such treaties as are now under our consideration.

That gentleman knows, that before the peace of Westphalia, the feudatories of the empire had no confirmed legal right to engage, without leave of the Emperor, in offensive and defensive alliances with foreign princes, which might require sending troops out of the empire. But the weakness of the House of Austria, and the dread of the Swedish arms, obtained, after a long discussion, that extraordinary privilege, on the pretence of the interest of religion, and the inability of the head of the empire, from being often engaged in war with the Turks, to defend the frontiers, which made such a concession beneficial to the empire; always presuming, that the troops of those princes so contracting, should, in case of the empire being attacked, return to its defence, as the allegiance of those princes to the Emperor and empire of Germany, by the nature of their feudal tenure, especially required. Now, Sir, if this is the true state of the privilege those princes now enjoy, can it be fairly inferred from thence, that they can, merely for lucre and pecuniary considerations, transport their vassals to the East or West Indies, nine parts in ten of whom will hardly ever return; and thus, by depopulating their territories, deprive their Lord Paramount of the succour which

he has a right to expect from them, and of the advantage which an inhabited and settled territory affords, in comparison of one stript of all the men able to bear arms; to support a cause in no shape whatever connected with the empire, and which must render it vile and dishonourable in the eyes of all Europe, as a nursery of men reserved for the purposes of supporting arbitrary power, whenever grasped at by those who have more money, tho' not more justice and virtue, than the others whom they can pay for *oppressing*.---I shall say little to the feelings of those princes who can sell their subjects for such purposes. We have read of the humourist Sancho's wish; that, if he were a prince, all his subjects should be black-a-moors, as he could by the sale of them easily turn them into ready-money; but that wish, however it might appear ridiculous, and unbecoming a sovereign, is much more innocent than a prince's availing himself of his vassals for the purpose of sacrificing them in such destructive wars, where he has the additional crime of making them destroy much better and nobler beings than themselves.

As to the defensive part of the treaty, which is looked upon as of no consequence, on supposition that we shall never be called upon to fulfil it; I beg leave to insist on the contrary position: for the Emperor may not only shew his resentment of this proceeding of his vassals, by a military execution in their territories, but may thereby give them a right to call upon us for that indemnification in money, which is the only means in our power for making them amends, and to which we are by these treaties bound. Besides, the King of Prussia, who is at their door, will infallibly seize this opportunity of making us pay the six hundred thousand pounds, which he pretends we wronged him of at the close of the last war. It will therefore be very proper for administration, and much more for the House, to consider that it would be a great addition to the expence, which, from the complexion of the House I am afraid we are going to incur, by approving of those treaties now under consideration, which treaties I look upon as highly inexpedient, and dishonourable to the nation; and to which therefore, as a member of this House, I shall give every opposition in my power.

Mr. Seymour Mr. Seymour compared the present treaties with the former treaties with German and other princes, whom we had formerly subsidized, desired the honourable gentleman [Mr. Cornwall]

Cornwall] to produce a single instance, in which the same number of men, within the same time, had cost the nation so much money.

Mr. *D. Hartley*. In the course of our debates upon Ame-
 rican measures, I frequently hear the terms of rebellion and
 rebels made use of, which I shall never adopt; not only be-
 cause I would avoid every term of acrimony which might
 increase the ill-blood between us and our fellow-subjects in
 America, but likewise thinking as I do, that the ministry
 of this country have been in every stage the aggressors; I
 never will, as a Whig of revolution principles, confound
 terms so fundamentally the reverse to each other, as defen-
 sive resistance in the support of constitutional rights, with un-
 provoked and active treason. The colonies have been con-
 demned unheard. If you would have condescended but to
 have heard their petition, you would have found that all that
 they requested has been to be restored to the happy state of
 harmony, tranquility, and constitutional dependence exist-
 ing in 1763. Those ministers who have so madly driven
 them on to unavoidable resistance, must be answerable to
 their country for all future consequences. I wish to enter
 my protest once for all, that I shall always think that our
 American fellow-subjects have been driven to resistance in their
 own defence, and in support of those very claims which we
 ourselves have successfully taken up arms in former times,
 to rescue us from the violence and tyrannical pretensions of
 the House of Stuart. These rights are the giving and
 granting freely our own property, and the security of char-
 ters. Let us do to them as we have done for ourselves, and
 it is all that they ask. I am convinced that the nation will
 some day or other see the justice of their cause, when the
 anger of the present unfortunate disputes is a little abated,
 and when many misrepresentations, which are studiously cir-
 culated by ministry, are cleared away. Therefore, Sir,
 for the present I will suspend this part of the argument,
 and confine my objections to this measure of the fo-
 reign troops; to the impolicy and impracticability of the
 measures; being always understood that I have entered
 my protest against their injustice. Sir, the public have
 been artfully and imperceptibly led into these measures.
 We were told, at first, that the discontents were only
 adopted by a few factious persons in America, that the
 body of the people were totally averse to these measures of
 resistance, and, that a very little exertion from this country,

Mr. *D.*
Hartley.

and a very inconsiderable expence, would restore the public tranquillity. Many of us on this side of the House, have, from time to time, endeavoured to uncover these fallacies, having too truly foreseen and foretold the endless ill-consequences of the ministerial plans in America. I myself told you, Sir, in this very place, not many months ago, from very certain information, that America would not only not recede upon the articles of arbitrary taxation and surrender of charters, but that they would turn out, before last midsummer, a body of 50,000 men in arms. This prediction was at that time treated by the House with laughter, yet it has proved but too true. What confidence can we then have for the future, in ministers who are so grossly ignorant and deceived, or, who conceal the true state of things from this House and the public, perhaps with no better view than to trepan them insiduously, and by gradual steps, into the support of their own desperate and sanguinary designs? The public revenue being a subject, upon which I have at times bestowed some pains, and upon which I sometimes troubled you, I am sure that this House will do me the justice to recollect, that I have incessantly remonstrated to them of the enormity of the expence which these measures would entail upon the public, even to the hazard of public bankruptcy, if foreign war should overtake us upon the heels of this civil contest. The ministry, in whom a majority of this House seem to put unbounded confidence, have, for a time, smothered these mischiefs; they have kept all matters of expence out of sight, and have endeavoured to lull the public to inattention, by conveying to them that very little matters would do. No such words as taxing and funding have even been whispered; but taxing and funding must come, and that soon too. You cannot do this very year without. I have again and again stated to this House, and to the noble Lord, that the debts and expences incurred, and such as will be incurred in this very year's campaign, cannot come to a less sum than ten millions. The army extraordinaries, and navy debt incurred in the last year, must be enormous; those which will farther be incurred in the present year, must be immense and boundless; I might almost say incomputable. Let the noble Lord deal ingenuously with the public, and, by the assistance of all his lights, let him inform the House what expences he is providing for them. Does he intend to lay any new tax this year? Does he pay off any of the navy debt? Does he intend to propose the payment of the civil list with an augmentation to the establishment of it? What will

will the noble Lord state as the probable expence of the intended campaign? Let the country gentlemen know what endless expences they are to encounter, and to mortgage their estates for. There are some gentlemen who have professed, that they enter into this war to obtain a revenue from America, but still not at all price. Gold may be bought too dear, if they are to pay a hundred years purchase for the possibility of a revenue from America. Who would give that price even for a certainty? But it is contended that all this armament is only a mode of making peace with dignity; that the Americans will be awed into submission, and that commissioners are to grant pardons and to make peace. This is the insidious pretext of the present year; for what powers are given to the commissioners? None, but to grant pardons, if the Americans will lay down their arms upon unconditional submission. This is an insult both upon them and upon us. Did they take up arms to obtain pardon, or to obtain redress of grievances? You have condemned them unheard, you have subverted all their civil rights, you pensioned their judges, you garble their juries, you control the free debates of their assemblies, you confiscate their charters, you take their property by violence from them; and, when they petition or complain, you tell them that these are pretended grievances; yet these are the grievances which they seek redress of under arms. --- Give them redress, and they will lay down their arms, and gladly receive pardon and general oblivion. If Parliament had enabled the commissioners to offer redress of grievances, I should not have called the appointment of them a mere pretext; but you have expressly tied their hands. Neither can the Americans put any trust in any supposed intentions of the ministry for peace. General Burgoyne says, in his letter to general Lee, that after what has passed, the Americans may rest in full confidence that this country would never think of taxing them again, and indeed that inference would seem reasonable, if we did not hear the contrary asserted and supported almost in every day's debate in this House, and particularly by the noble Lord who has lately been advanced to the head of the American department. The noble Lord at the head of the treasury seldom holds the same language and opinion long together. Sometimes he is ready to dispense with taxation, and wishes to God, that all things were restored to the state of 1763. If he has personally any dispositions to moderation and lenient measures more than his colleagues, he is at least over-ruled. But the noble Lord of the American depart-

department, has uniformly and invariably declared upon principle, that a total and unconditional submission, an entire surrender of their property and charters, are with him, the indispensable preliminaries of any treaty of peace. I have myself, troubled the House this very session with some propositions of pacification, offering security to the colonies upon the articles of taxation and charters, which have been refused upon principle; expressly argued in the debate on the part of the ministry, that they would not, in the least degree, recede from their terms of unconditional submission to be enforced by the sword. Then away with these pretexts ! it is clear enough that they mean nothing but destruction and bloodshed, and to act over again the mockery of what was last year called the conciliatory proposition. You sent orders to dip the sword in American blood before that proposition, insidious as it was, could be offered to any assembly upon the continent. This year again, your pretext is a pretended commission to offer peace, at the same time tying up the hands of the commissioners from making any offer but of unconditional submission, with an army of foreign mercenaries sent close upon their heels, to lay waste the whole country with fire and sword. Sir, my opposition to this unjust American war, is so total and absolute against every part of it, that I hardly know in what terms to express my aversion to any one part more than to every other; yet I think, Sir, if there could remain any measure exceeding every preceding one in disgrace and barbarity, it is this of introducing foreign troops. The first shedding of civil blood was wantonly precipitated by ministerial orders last year, even before the pretended plan of conciliation could be proposed to any assembly on the continent; therefore the first blood lies at your door. Notwithstanding this provocation of bloodshed, the Americans tell you in their declaration, as a proof of the sincerity of their desire for peace, that *they have not called in the rivals of your grandeur*, justly claiming the merit of forbearance under such provocation and distress. Mark the reward which we give them for their forbearance: their petition is rejected unheard, and the minister tells the Parliament, in the King's speech, that it is with *satisfaction* that his Majesty has received friendly offers of foreign assistance; to which this House has given for answer, that they would *cheerfully* enable his Majesty to avail himself of the offer. An American congress have held such a measure in abhorrence; a British Parliament have adopted it with *cheerfulness*. You have now set them the example, and perhaps

A. 1776.

D E B A T E S.

349

haps by the very act, made it unavoidably necessary for them to adopt the same fatal measure in their own defence. I call it a fatal measure ; because when foreign powers are once introduced in this dispute, all possibility of reconciliation and return to our former connexion is totally cut off. You have given a justification to the Americans by your example, if they call in the assistance of foreign powers. Let the minister who has advised this measure to his Majesty, consider well of the consequences. His head as well as his hand, is answerable for the treaties. I mean not merely from the effect of these foreign troops in the American dispute, but from all other consequences, upon the general security of our situation with respect to all foreign powers. We know well, with how jealous an eye this country is watched ; and more particularly envied, on account of the universal and uncontrolled empire of the British flag. One such treaty should not stand alone. If any foreign power should attack us, we shall expect of the minister, who has advised these treaties for foreign forces, to be prepared with such a system of treaties and alliances as shall secure this country from the natural consequences to be expected from such interference of foreigners. When you have set the example, you not only justify America in applying for foreign aid, but every power whatever will think themselves at liberty to take such part as may best suit their own convenience. Upon the whole of this measure, I think it the most disgraceful, the most unjust and unnatural, and big with the most fatal consequences, of any measure that has been, or could possibly be adopted, therefore I shall give my most hearty negative to it.

Hon. *Frederick Stuart*, (third son of the Earl of Bute) was for *Hon. Fred. Stuart.* sanguinary measures. He rested the strength of the nation chiefly on paper-credit, with which he united the navy and commerce. Paper-credit, he said, effected wonders ; it was not only a substitute for money, but it was better. While our credit remained inviolate, we should never want either soldiers or sailors. He insisted America had no prospect of deriving support from any foreign power, because she was not able to pay them ; neither France nor Spain would assist them, unless well paid. America had nothing but paper-money, and that would never pass current ; nothing but good sterling money would answer their purpose, and that she would not be able to procure, so long as her trade and commerce were prevented or destroyed by our navy.

Hon.

Hon. *James
Luttrell.*

Honourable *James Luttrell.* I rise because I think, that if I am not too young a member to have a sense of humanity, neither can I be deemed too young a member to give my voice, as well as vote against the oppressive measures of the present administration. Nor can I be awed by their abilities, or experience, when the state of affairs prove they have been so misapplied, as to lose to the crown America, to this country a most valuable part of its commerce, and which are every day exerted in framing such bills as may more justly be called death-warrants to thousands of British subjects, than a step towards regaining our lost colonies.

I flatter myself, Sir, that what I shall say against this war, will not be thought inconsistent with the spirit of an officer: for if Great-Britain must bleed for her injustice towards America, I know my duty, and when called upon should not shrink from the summons: but I should hope when I fell, that it was to save some better man, who might live to fight in a better cause. However, Sir, I cannot reflect so calmly on the destiny and possible fate of those great and distinguished officers, who could scarcely be replaced by their equals, much less by their superiors: I therefore feel it an additional reason to blame, and to lament, the rashness of administration.

I form my judgment, Sir, of America, not from being a member of this House, but from having passed many years in that country, where, because I was an Englishman, I met with a friendly reception. They gave me many just causes to respect them, and to wish them well: nay I thought it consistent with my duty so to do, even though I served in men of war! For I could not at that time foresee, we were sent to protect America from foreign powers, only that we might become the spoilers of it ourselves. I rather looked upon us as guardians to their trade, in which both countries had a fair, and a mutual advantage.

The Americans have never fought nor desired to be independent of England. They thought ministry misinformed, therefore they requested to be heard, and however, artfully they may have been deprived of that privilege before this House, I do respect it as the grand judicial inquest of the nation, which must be too high and too equitable to condemn an individual without a hearing, much less three millions of subjects. Yet 'tis said that Parliament declared this war against America, let who will have done it, I have seen enough of that country to think it my duty to endeavour to
express

express how much I am averse to so iniquitous, so impolitic a persecution.

I have heard, Sir, that it is necessary to destroy America, in order to obtain an honourable peace to this commercial country. If such great objects may be compared to small ones, I think it would have been as sound policy to send to Liverpool, at the time of the riot, to burn the town, and destroy all the merchant ships, because a part of their crew had proved disobedient to the laws.

But who says the Americans will not submit to be governed by the just laws? They only say so, who first broke through them, and have ever since been adding insult to injury.

The minister well knew he had offended all America; and what man is so unlikely to put an end to the dispute, as he who insists upon being judge in his own cause?

This I do say for the Americans, because I do believe it, that had their real motives and intentions been fairly and impartially stated and laid before this House, and the Parliament of Great-Britain been called in as the mediators, not the persecutors of the people, all would have ended well: that good faith which had been wantonly violated towards the colonies would have been restored upon a more solid and lasting foundation, and men's lives and properties been safe at this very hour.

Some say, who now are the Americans we can treat with? Is it every individual settler of that country? Surely it would be an endless work. Who then so proper as those in whom they place implicit faith, and confidence, and whose decisions they will abide by! Such are the congress; nor can I think the minister does wish to pay the paltry compliment of a preference to the provincial councils, and assemblies; unless he can forget how long they were treated with the most shameful contempt and disgrace, and that he drew this fatal sword to prove they did not represent America.

But, Sir, I beg pardon for deviating so far from the business of the day as to talk of reconciliation, peace, and commerce; for I understand the noble Lord does still persist, he can by force of arms recover the trade and amity of the colonies. I think they will continue to shew us, that by such methods it is impracticable to attain those ends: but even were it possible he should succeed, permit me to say (if as a seaman I may be indulged with a professional comparison) I could never approve of that pilot, who when he might have

steered the vessel through a safe and pleasant channel, directs her course amongst rocks, and quicksands, telling me, for my best hope, that he has ingenuity enough, to extricate her at last.

Sir, I comprehend that ministry now apply to Parliament for seventeen thousand Germans to send to America. Good God, for what end? To enslave a hundred and fifty thousand of their own countrymen, many of whom fled from tyrants to seek our protection. And, Sir, I speak in moderation; for passing over Georgia and West Florida, where they have some considerable settlements, there is Pensylvania, one of the largest and most flourishing of the colonies, situated in the finest climate; it is above one half peopled by Germans, they speak that language and scarcely any English. The German flats on the Mohawk river, which extend at the back of New-York and the Jerseys, are very highly cultivated, and esteemed the best lands of any of those provinces. Some thousands of Germans are the settlers and improvers of that country, and these I have mentioned, are the nearest inhabitants to the five nations of Indians. They trade with them, speak their language, and it is most natural to suppose they will easily persuade them to *take up the hatchet* against the King's forces. The Germans have some considerable settlements on the Connecticut river, but it is true the fewest Germans are in New-England and the northern provinces. I do presume, Sir, That is the reason why the congress have not hitherto thought it necessary to call more of them to the provincial army.

I shall only add to this account of the Germans, that the encouragement for them to quit their own country and become settlers in America, was so great, so very great, that the German princes found it absolutely necessary to make it death by their laws to carry any more of them out, and the Palatine and ships that used so frequently to convey them have of late years ceased to arrive at the ports of our colonies.

To conquer, and to govern by military force, these settlers and all the inhabitants of that vast continent, with such a handful of German and British forces, I do indeed, Sir, hold to be impracticable; but I think it an excellent opportunity for our hired troops to desert, because they will most likely be offered lands, and protection. These warlike transports we are to fit out may then be considered as good as the Palatine ships for peopling America with Germans.

I do

I do presume, Sir, it is not good policy to hire these foreign troops; first, because they will provoke five times the number of their own countrymen in America, and a great many Indians, to join the provincial army. Secondly, because they will desert, and accept of lands, which when they have done, we have hired troops to fight against ourselves; for surely when like those who became settlers before them, they see an uncultivated wild grow fruitful and beautiful under their hands, they will readily join in protecting that property and the just rights of America against the oppressive impositions of an enterprising ministry. Sir, foreseeing these probable events, having passed some winters and summers in America, and part of that time under hospitable roofs, I think it would be wrong in me to give a silent vote upon the present occasion. But I do not mean to intrude any longer, because there are many able and distinguished men I shall have much more pleasure and satisfaction in listening to, than in making any attempt to draw their attention towards me. I shall therefore only beg leave to add one more reason why I think it right to give my voice and vote against these measures and against the noble Lord's motion, which reason is, that I want faith to believe the compliments of foreign ministers are as good a security for the safeguard of Great-Britain or of Hanover, as the German and British forces, that are shamefully to be sent to massacre his Majesty's injured subjects in America, whilst we are left defenceless both by sea and land.

Mr. *Joliffe* said, that as matters now stood, it was impossible to retreat, that consequently troops must be had, in order to carry the proposed measure into execution. This could not be effected without a sufficient force, and the present being the most feasible means of procuring that force, for his part, he could not perceive how it was possible for any person who approved of one, to consistently object to the other. Mr. *Joliffe*.

Mr. *George Grenville* observed, that he had scarcely been long enough in public life to fix before now his sentiments relating to America. That he had no doubt of the right of the Parliament to tax America, and consequently must concur in the coercive measures. He was far from approving all the steps administration had taken, but that at present the main point rested on this alternative; shall we abandon America, or shall we recover our sovereignty over that country? The expence is to be sure heavy, Mr. *George Grenville*.

and the terms now before us hard; but if we do not consent to relinquish all our pretensions at once, we had better make one effort more; and if we should miscarry, we will, in that event, be little worse than if we henceforth desisted from all further pretensions.

Governor
Johnstone.

Governor *Johnstone* insisted, that the paper-credit of America was full as good as ours, and would answer every effectual purpose that the paper-credit of Great Britain possibly could. He said, he was surprised to hear an honourable member, early in the debate, describe paper-credit as one of the great pillars of this nation; he contended, that a love of liberty was sufficient to surmount all difficulties, and instanced the case of the Dutch in the resistance they made to the oppression and tyranny of the Spaniards, who, on their recognition as a free state, by their cruel taskmasters, were indebted in no less a sum than ninety millions sterling.

Ld. *North.*

Lord *North* expressed his surprise at hearing so much stress laid on the impropriety of carrying on a war against our fellow-subjects. For his part, he always imagined, that a civil war called most urgently for a speedy and effectual suppression. Such wars were no novelties in this country. Were not the Irish our fellow-subjects in 1690? Were not the Scotch so in 1715, and 1745? And did any person ever assign it as a reason that those rebellions should not be crushed, because the rebels were our fellow-subjects? He insisted, that the cases of America and the United Provinces were extremely different; that the latter was privately abetted, and publicly supported; and yet, if her commerce had been cut off, notwithstanding all the aid she derived from her powerful friends (as that of America shortly will) she must have been obliged to submit.

Mr. *Fox.*

Mr. *Fox* observed, that his Lordship was never twice in the same temper, nor of the same opinion. A few nights ago his Lordship confessed he could not promise but that some foreign power might interfere; and now he reasoned as if he was certain, that America would be cut off from all public or private support of foreign powers. He wished his Lordship would take one side or other of the argument, and adhere to it; for if he granted the possibility of such an interference, then his whole argument amounted to just nothing. If, on the other hand, he was certain of a strict neutrality on the part of France and Spain, he begged never again to hear a syllable of a possibility of their interfering in the present disputes.

Lord *George Germain* defended the measure on the ground of necessity. He quoted a number of precedents, to shew that in every war or rebellion we had recourse to foreigners to fight our battles, and to support our government. His lordship adverted particularly to the several treaties, the number of troops employed, the terms on which they were hired, and the services in which they were employed.

Lord *Barrington* supported the motion, because he owned Lord *Barrington*. that recruits could not be procured on any terms. He confessed that the bargain was not so advantageous as he could have wished; but it was, he was certain, the best that could be made. They had prescribed the terms, and we were compelled by necessity to accept of them.

Colonel *Barré* was severe on the last noble lord. He Col. *Barré*. reminded him of the assurance he gave on a former occasion, that no foreign troops were meant to be employed. He hoped he would not resort to his old apology, that he was not of the cabinet; or, if he should, that he would never more pass his own speculations on the House, as originating from authority, on communications received from those in the cabinet who were supposed to instruct and authorise him to give those assurances. He turned then to the minister, and was severe on him and his colleagues in office, telling them plainly, that they were not fit to conduct the affairs of a great nation, either in peace or war. He attacked the treaties, and those who advised them, and pointed out the great danger and risque of introducing such a number of foreigners into the kingdom, alluding to the case of Francis the First of France, among many others, who experienced the inconveniencies of so hazardous an experiment.

Governor *Johnstone* to explain; but proceeding to debate, Governor he was called to order, as introducing new matter. The *Johnstone*. chair being appealed to, he was interrupted, and obliged to sit down.

Lord *North* answered several objections made to the treaties, Ld. *North*. as well as others relative to the state of our navy at home. He said that this country would not be in danger when the armament destined for America had sailed, for we should still have the usual number of guardships, and it was not intended to send one line of battle ship to that part of the world.

Colonel *Barré* to explain. He said, he was in the judg- Col. *Barré*. ment of the House, if the noble lord at the head of the war department, did not state 25,000 men, as the whole of the force intended for America for the service of the year 1776,

1776, on the day he presented the military estimates, adding at the same time, that not a single foreigner was to be taken into British pay.

Gen. Conway.

General *Conway* insisted that administration had most shamefully, if not basely, broke their word with America, respecting the circular letter wrote by lord Hillsborough to the several provincial assemblies, while secretary of state for that country. He observed, that administration one day profess to relinquish all idea of a revenue; the next day they insist on taxation; a third, they solely contend for supremacy and commercial controul; and again, we will not tax, but we will have a certain specific sum of money. He appealed to the candour and good sense of those who heard him, if it were possible for America to know what to do, or what she could depend on; for, supposing she were willing to consent to any one, or all of those schemes, what certainty would she have in such a fluctuation of opinions, such discordant sentiments, such unsteadiness of counsels, but, that the very next day the whole system may be abandoned, and some new claim made upon them, "perhaps the fruitful parent of a hundred more." What was the conciliatory proposition of last year, taking it in the most favourable interpretation, but the old claim of taxing, dressed in another garb? In short, he could see nothing but naked destruction present itself on every side; for, let America consent, or let her resist, he perceived, nay, he was perfectly satisfied, that the ruin of this empire was inevitable. He treated the idea of reducing America as impracticable and absurd; and if it were not, he pronounced it at once cruel, oppressive, impolitic, ruinous, and unjust.

Ld. Mulgrave.

Lord *Mulgrave* said, he had ever approved of Mr. Grenville's system of colony-government; that his prophesy was now literally fulfilled; for he said, if the stamp-act should be repealed, it would produce all the consequences that have since happened. That the repealing that act was the cause of all our present disputes; and that whatever was thrown out respecting his conduct, was equally untrue and ill-founded; far as he was always against the repeal, so he was now in favour of coercive measures, never considering on which side administration voted.

Ld. North.

Lord *North*, in reply to General Conway, said, he was not responsible for what Lord Hillsborough or any other member of administration might have done or promised before he came into office; yet if he had been one of the advisers

vifers of that measure, he thought he could fully justify himself on the conciliatory proposition which he had the honour to submit to the House last year, for that went beyond any thing contained in the circular letter said to be written by the Noble Lord. The proposition secured the application of the port-duties to the services of the colony where such duties should happen to arise, which plainly removed the only objection that had been previously made to them, that of drawing the produce of such duties into the British exchequer. His Lordship was then extremely jocular on some of the arguments made use of by Governor Johnstone, General Conway, and Colonel Barré, relative to the native strength of America, and the personal prowess of its inhabitants, on the dangers of a foreign invasion, and on the probable consequences of introducing a body of foreigners into our dominions in America, and the miraculous effects of American paper-credit.

Mr. *Burke* complimented his Lordship on his talents for Mr. *Burke* ridicule, his political witticisms, and ironical strictures. He observed, that his Lordship one day came down to the House with a very grave serious argumentative air, and told the country gentlemen, that they should have a revenue, for it was the very point in issue. The next he changed his tone, and as gravely affirmed, that nothing was farther from his intentions; for it was the supreme legislative power of Parliament that employed all his sleeping and waking thoughts; a paltry trifling revenue was beneath the dignity and wise consideration of a British Parliament. Again, the dispute only related to the destruction of the tea at Boston; neither the revenue nor supremacy made any part of the controversy. At the beginning of the session not a single foreigner was intended to be employed; now nothing is to be effected without the aid of foreign mercenaries; but if necessity should compel us to employ foreigners, it was only because they could be procured upon cheaper terms. The necessity is arrived; but the pretence of cheapness is at once abandoned; for it turns out, that for every thousand foreigners we have taken into our service, we shall pay as much as for one thousand five hundred natives. If his Lordship was charged with being the promoter of those measures, the fact was denied, he only co-operated with the rest of the King's servants; if they were attributed to any other set of men, he instantly put in his claim to the whole merit. If he was reproached with versatility of sentiment, or contrariety of

of opinion, he laughed at his opponents, and turned the whole into a mere matter of ridicule. So that, on the whole, supremacy or no supremacy, revenue or no revenue, foreigners or natives, cheapness or dearneſs, reſponſibility or no reſponſibility, his Lordſhip ſeemed to regard very little, the whole was made to end in a joke; promiſes, reaſons, and arguments, were made to yield to miniſterial pleaſantry and good-humour, the Houſe was made merry, a laugh was created, and the mere grumblers were, as they deſerved, turned into ridicule and contempt.

Mr. Stan-
hope.

Mr. *Stanhope* condemned the meaſures purſued by adminiſtration, as leading us into conſequences of a moſt ſerious and alarming nature. He inſiſted, that the means propoſed to carry them into execution, were not leſs exceptionable than the policy which gave birth to them; and if perſiſted in, muſt not only cauſe the entire loſs of America, but muſt ſubject us to additional burthens we ſhould never be able to bear.

Sir George
Savile.

Sir *George Savile* entered into ſeveral comparative computations, relative to the terms of the preſent treaties; and ſhewed, that it was never known ſince the preſent cuſtom of hiring mercenary troops prevailed, that ſo diſgraceful or dear a bargain had been made, even when the total diſſolution of the eſtabliſhed form of government had been threatened, and rebellions had exiſted in the very bowels of the kingdom.

Mr. Rigby.

Mr. *Rigby* obſerved, that in the beginning of the ſeſſion oppoſition objected, that the military eſtimates were too low, and not adequate to the purpoſes of abſolute coercion, yet now that defect was attempted to be remedied, they were ready to oppoſe the increaſed expence; and ſeemed reſolved to find fault in either event. He ſaid he ſhould not be ſurpriſed to hear them find fault with the war itſelf, but he confeſſed he was aſtoniſhed to hear them condemn the moſt effectual mode of obtaining the objects for which only it was ſet on foot, that of compelling America to return to a ſtate of obedience. They might indeed controvert the juſtice of the war, but he could not poſſibly conceive how they could oppoſe thoſe who were already convinced of its juſtice, contrary to their own expreſs ſentiments, declared in parliament. Among the reſt, he expreſſed his aſtoniſhment at what had fallen from the right honourable gentleman [Colonel Barré] who had condemned the war as impolitic, ruinous, and unjuſt, when he recollected, that that very gentleman had both ſpoke and voted for the Boſton port-bill, which was the great leading and fundamental baſis, and cauſe of the preſent civil war.

Colonel

Colonel *Barré* to explain. He owned the charge; but he Col. *Barré*. contended, it proceeded from mistake and misinformation; for the minister had given the most explicit and fullest assurances that the merchants of Boston had desired such a bill; and that the people of the Massachusetts bay would, as soon as it was passed, immediately return to their duty. Experience, however, had taught him what degree of credit any official or ministerial information deserved: if therefore he should ever happen to offend in the same way, he must do it with his eyes open; for at present, all communications from either the minister or his colleagues in office, if they at all deserved attention, it was only to understand them in a direct contrary sense to what those communications obviously imported.

Mr. Alderman *Bull*. I cannot, Sir, at this time, forbear Mr. Alder-
man *Bull*. to express my astonishment and concern, that early in the present session so many gentlemen should have been prevailed upon, by any considerations, to stand forth in the most serious and solemn manner, to approve and sanctify those cruel and arbitrary measures which were recommended, and have been fatally carried into execution, by an unfeeling, an unrelenting administration, who have dared to abuse the throne by their wicked and sanguinary councils, and whose whole conduct has proved them entirely destitute of every principle of justice, humanity, and the religion of their country. Their insatiable thirst for Protestant blood has been long evident; and it cries aloud to Heaven for vengeance, as well as for the just indignation of a long abused, insulted, oppressed people. To exult in the destruction of our most valuable commercial friends, and Protestant fellow-subjects; to pray that the same horrid scenes may be repeated; that war, desolation, and bloodshed may prevade the whole continent of America, unless it shall bow its devoted head to Popery, to poverty, to the most abject and ignominious slavery, were not the fact on record, would be thought incredible! That record, Sir, to a nation professing a regard to liberty, and the rights of humanity, will remain an eternal monument of reproach.

Sir, is it certain, is it probable, that the exertions of ministerial tyranny and revenge will be much longer permitted? that there will be no appeal to stop the further effusion of Protestant blood? Or can it be expected that the people of this country, reducing by thousands to beggary and want, will remain idle spectators till the sword is at their breasts, or dragoons at their doors? God forbid! I am not insensible how much professions of patriotism are become a subject of

ridicule. To the astonishment of the world, the love of our country has been ridiculed within these walls. And yet, Sir, this shall not restrain me. While I will uniformly withhold the offer of my life and fortune in support of ministerial despotism, I wish it to be understood, that whenever an occasion may call for it, I will chearfully sacrifice both in defence of the liberties of the people.

The war that you are now waging, is an unjust one; it is founded in oppression, and its end will be distress and disgrace. Let not the historian be obliged to say that the Russian and the German slave was hired to subdue the sons of Englishmen and of freedom; and that in the reign of a Prince of the house of Brunswick, every infamous attempt was made to extinguish that spirit which brought his ancestors to the throne, and in spite of treachery and rebellion seated them firmly upon it.

I shall not now trouble the House any further, than to declare my abhorrence of all the measures which have been adopted against America; measures equally inimical to the principles of commerce, to the spirit of the constitution, and to the honour, to the faith, and the true dignity of the British nation.

At a quarter after two, the question on Lord North's motion was put, and agreed to by a majority of 242 to 88.

An ACCOUNT of EXTRAORDINARY SERVICES incurred, and paid by the right honourable Richard Rigby, paymaster-general of his Majesty's forces, between the 9th of March, 1775, and the 31st of January, 1776, and not provided for by Parliament.

Dates of
Warrants.

1775,

		£.	s.	d.
Sept. 26.	To bills of exchange drawn by major general Boyd, lieutenant governor of Gibraltar, for public services there	1216	8	6

Dec. 4.	To a bill of exchange drawn by lieutenant colonel Samuel Townshend, for freight, landing, and carriage, of cloathing, arms, &c. for additional companies to be raised in Ireland, for the several regiments serving in North America	84	11	3
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July 6.	To bills of exchange drawn by Guy Carleton, esq. for public services	7483	11	3
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To

A. 1776.

D E B A T E S.

361

1775.

£. s. d.

	To bills of exchange drawn by H. T. Cramahe, esq. for public services	-	-	1000	0	0
	To ditto drawn by William Leyborne, esq. for public services	-	-	5100	0	0
1776.	To ditto drawn by Willam Stuart, esq. for public services	-	-	2492	12	3
Jan. 13.	To ditto drawn by Thomas Storer, for a cargo of flour stopped in Virginia by the earl of Dunmore	-	-	2284	15	0
1775.	To Thomas Harley and Henry Drummond, esqrs. to be by them applied and invested in the purchasing Spanish and Portugal coins, for the use and service of his Majesty's forces in North America	-	-	21500	0	0
June 14.	To ditto, to be by them applied and invested in purchasing ditto, for the use of the forces in ditto	-	-	20000	0	0
July 8.	To ditto for the service of the forces in ditto	-	-	10000	0	0
12.	To ditto for the service of the forces in ditto	-	-	30000	0	0
29.	To ditto for the service of the forces in ditto	-	-	10000	0	0
Aug. 27.	To ditto for the service of the forces in ditto	-	-	10000	0	0
Sept. 15.	To ditto for the service of the forces in ditto	-	-	20000	0	0
Oct. 2.	To ditto for the service of the forces in ditto	-	-	48990	8	9 $\frac{3}{4}$
14.	To ditto for the service of the forces in ditto	-	-	20000	0	0
Nov. 14.	To ditto for the service of the forces in ditto	-	-	20000	0	0
16.	To ditto for the service of the forces in ditto	-	-	18318	16	4
30.	To ditto for the service of the forces in ditto	-	-	20000	0	0
	To ditto for the service of the forces in ditto	-	-	20000	0	0
Dec. 7.	To ditto for the service of the forces in ditto	-	-	20000	0	0

B b b 2

To

1775.

£. s. d.

	To ditto for the service of				
1776.	the forces in ditto - - -	20000	0	0	
Jan. 16.	To ditto for the service of				
	the forces in ditto - - -	20000	0	0	
20.	To ditto for the service of				
	the forces in ditto - - -	20000	0	0	
	To ditto for the service of				
	the forces in ditto - - -	20000	0	0	
	To ditto for the service of				
	the forces in ditto - - -	20000	0	0	
	To ditto for the service of				
	the forces in ditto - - -	20000	0	0	
1775.					
Jan. 29.	To Sir Thomas Mills, receiver general of the revenues in the province of Quebec, to enable him to carry on payments for the service of civil government there, by way of imprest, and upon account - - -	5000	0	0	
July 25.	To John Pownal, esq. for procuring proper presents for the Indians bordering on the colo- nies in North America - - -	5000	0	0	
Nov. 7.	To Robert Grant, esq. and Co. for the like sum due to them for 250 barrels of pork sup- plied by them, for the use of the forces in North America - - -	816	13	4	
14.	To Anthony Bacon, esq. in full discharge of the like sum due to him for coals and po- tatoes, sent by him to North America, for the use of the forces there - - -	7248	14	7	
Nov. 23.	To Gilbert Hagen, merchant, for and on behalf of Richard Coote, merchant, owner of a cargo of wheat and flour detained at Boston, in North America, for the use of the forces there - - -	4306	1	1	
Oct. 12.	To Thomas Harley, esq. for sundry sup- plies sent to America, for the use of the army there - - -	7440	5	1	
	To ditto in full satisfaction and discharge of the like sum due to him for cloathing, ac- coutrements, &c. for a corps of his Majesty's Canadian subjects - - -	17696	6	0	
		25136	11	1	
					Dec.

A. 1776.

D E B A T E S.

363

1775.

£. s. d.

Dec. 4.

To William Brymer, for and on behalf of Archibald Buchanan and George Mathews, owners of a cargo of wheat and flour, secured by order of lieutenant general Gage, for the uses of the forces in North America -

2478 9 1

Oct. 20.

To Messrs. Mure, Son, and Atkinson, in full satisfaction and discharge of the like sum due to them for hay, oats, and beans, sent to North America for the use of the army there - - - -

6932 2 6

To ditto for vegetables, vinegar, and casks, sent to ditto for the use of the army there - - - -

8797 16 3

To ditto for sheep and hogs sent to North America for the use of the forces there

9811 9 4

To ditto for coals sent by them to ditto for the use of ditto - - - -

8380 14 2

To ditto for a quantity of strong beer, sent to ditto for the use of ditto - - - -

13899 14 6

Dec. 20.

To ditto for hay, oats, beans, and sundry stores, also for charges on goods shipped by them, for the use of ditto

10403 12 5

To ditto for sheep and hogs, sent by them to ditto for the use of ditto - - - -

16241 5 11

To ditto coals sent by them to ditto for the use of ditto

6288 17 9

To ditto for porter, beer, sent by them to ditto for the use of ditto - - - -

14700 16 4

To ditto for vegetables, vinegar, and casks, sent by them to ditto for the use of ditto - - - -

13031 8 10

108487 18 0

Aug. 3.

To Robert Adair, esq. inspector general of regimental infirmaries, to enable him to satisfy such bills, as are, or may be drawn upon him for pay of divers extra surgeons and

fur.

1775.

£. s. d.

surgeon's mates, in the ceded islands, &c.

1000 0 0

Nov. 24. To ditto for ditto in ditto 1000 0 0

1776.

Jan. 8. To ditto for ditto in ditto 205 0 0

1775.

Apr. 29. To Arnold Nesbitt, Adam Drummond, and Moses Franks, esqrs. for victualling the forces in the garrisons of Quebec and Montreal, between 25th Oct. and 24th Dec.

1774 - - - 857 11 5

To ditto for victualling the forces in the provinces of Massachuset's Bay, New York, &c. between the 25th Sept. and 24th Dec. 1774; also for provisions shipped at New-York, for the use of the forces at Boston - -

7715 1 4

May 19. To ditto for victualling the forces in ditto provinces, between 25th Dec. 1774, and 23d Feb. 1775 - -

3815 12 9

June 26. To ditto for victualling the forces in the provinces of Quebec and Montreal between 25th Dec. 1774 and 23d Feb. 1775 - -

850 0 7

29. To ditto by way of advance, but upon account, in consideration of the number of men now stationed in America - -

20000 0 0

July 21. To ditto for victualling the forces in the provinces of Massachuset's Bay and New York, between 24th Feb. and 24th April, 1775 - -

2482 3 2

26. To ditto for provisions deposited in the Illinois country, between 8th Aug. and 20th Dec. 1774 - -

1322 9 5

Aug. 12. To ditto by way of further advance, but upon account,

A. 1776.

D E B A T E S.

365

1775.

L. s. d.

in consideration of the number of men now stationed in America - - -

5000 0 0

28. To ditto for victualling the forces in the garrisons of Quebec and Montreal, between 24th of Feb. and 24th

1775.

Apr. 1775 - - -

954 5 5

Oct. 2.

To Arnold Nesbitt, Adam Drummond, and Moses Franks, esqrs. for provisions delivered from the magazines at Montreal, between 13th of Sept. 1774, and 15th April, 1775 - - -

4777 15 10

To ditto for victualling the forces in the provinces of Massachusetts Bay and New York, between 25th of April and 24th June, 1775 -

5814 18 3

Nov. 8.

To ditto for victualling the forces at Quebec and Montreal, between 25th of April and 24th June, 1775, and for provisions forwarded to the King's storehouses, for the use of the troops in the garrisons of Chamblie and St. John - - -

1337 16 7

Dec. 7.

To ditto for victualling the forces in the provinces of New-York and Massachusetts Bay, between 25th June and 24th August, 1775 - -

11148 18 8

To ditto for provisions delivered from the magazines at Quebec and Montreal, for the use of the forces at Boston

1776.

Jan. 16.

12348 3 11

To ditto for provisions delivered from the magazines at Montreal, between the 16th April and 14th Oct. 1775 -

8700 16 2

To ditto by way of further

advance,

1776.

advance, but upon account,
in consideration of the num-
ber of men now stationed in

1775. North America - - 10000 0 0

July 21. To Richard Vernon Sadler,
esq. for provisions issued to
the forces at Halifax in Nova
Scotia, between 12th Dec.
1774, and 30th April, 1775 972 13 0

Nov. 25. To ditto for provisions
issued to the forces at ditto
between 1st May and 20th
Aug. 1775 - - 562 19 6

Apr. 11. To Christopher Bethell, esq.
executor to the late Edward
Codrington, esq. for pro-
visions issued to the forces in
West Florida, between 25th
April and 24th Aug. 1774;
for provisions issued to John
Campbell, engineer, between
3d Jan. 1772 and 1st Jan.
1774, for provisions issued to
persons under the directions
of engineer Durnford, be-
tween 1st Aug. 1773, and 31st
July, 1774; for provisions
issued to the civil branch of
ordnance, between 1st Oct.
1773, and 30th Sept. 1774,
and for condemned provisions 3103 9 11

To ditto for provisions issued
to the forces in ditto, between
25th Aug. and 24th Oct.
1774, for provisions received
by Mr. Williams, acting
commissary of stores, between
25th June, 1771, and 23d
Feb. 1774, and for con-
demned provisions - - 2095 0 2

Nov. 21. To ditto for provisions
issued to the forces in ditto,
between 25th Oct. 1774, and

A. 1776.

D E B A T E S.

357

1775.

L. s. d.

23d Feb. 1775; for provisions supplied the hospital surgeon, between 25th Dec. 1773, and 24th Dec. 1774, for bread furnished in lieu of flour, and for extra expences in baking biscuit - - -

1827 1 5

Mar. 31. To John Stephenson and John Blackburn, esqrs. contractors for victualling the forces in West Florida, by way of imprest, and upon account - - -

1500 0 0

May 29. To ditto by way of advance, and upon account, for victualling the forces in ditto -

1500 0 0

Apr. 29. To Witter Cuming and Kender Mason, esqrs. for victualling the forces at St. Augustine, in East Florida, between 25th Oct. and 24th Dec. 1774 - - -

571 4 1

Nov. 2. To ditto for provisions issued to the forces in the gar- rison of St. Augustine, be- tween 25th Dec. 1774, and 24th April, 1775, and for provisions issued to the out- ports dependent on that gar- rison, between 21st Sept. 1774, and 4th May, 1775, and also for condemned pro- visions - - -

1901 10 7

111159 12 2

Towards the expence of provisions delivered to thirteen battalions of foot in North America, Nova Scotia, and Newfoundland, &c.---Apply the sum voted upon estimates, 1775, for that service, viz.

13958 19 4½

C c c

368
1775.

PARLIAMENTARY.

A. 1776.

£. s. d.

Also the sums
stopped for pro-
visions deliver-
ed to the said
battalion, be-
tween 25th June
1774, and 24th
June, 1775 -

1975 1 5 2½

337 10 4 7

77449 7 7

Apr. 29. To John Durand, esq. for
provisions issued to the troops
in Grenada, between 1st Oct.
and 31st Decem. 1774 - -

1127 2 5

May 19. To ditto for provisions ship-
ped from the island of Grena-
da to the island of St. Vin-
cent - - - -

4120 8 0

June 30. To ditto for provisions
issued in the island of Grena-
da, between 1st Jan. and 31st
March, 1775, and for pro-
visions shipped to the islands
of Tobago and Dominica -

2211 13 0

Aug. 28. To ditto for provisions ship-
ped to the islands of Tobago,
St. Vincent, and Dominica

6067 4 1

Nov. 2. To ditto for provisions issued
and condemned in the island of
Grenada - - - -

1657 16 4

Dec. 16. To ditto for freight of
provisions from Grenada to
the other ceded islands, in
lieu of all charges and ex-
pences for 2 years, due the 1st

1776. Oct. 1775 - - - -

2000 0 0

Jan. 16. To ditto for provisions ship-
ped and deposited in the island
of Dominica - - - -

603 16 5

17788 0 3

To-

A. 1776.

D E B A T E S.

369

1776.

£. s. d.

Towards the expence of
provisions delivered to the
regiments in the ceded islands.

---Apply the sum voted upon
estimates, 1775, for that
service - - -

13477 12 6

4310 7 9

1775.

Mar. 31. To Samuel Smith, esq. for insurance on
provisions sent to Gambia and Senegal, be-
tween 25th June, 1773, and 31st Dec. 1774;
for agent's salary at James Fort, Gambia,
from 1st Aug. to 31st Dec. 1774, and for
fundries supplied the hospital and sick at Se-
negal, from ditto to ditto -

305 9 9

June 26. To ditto for victualling the
forces at Gambia, between
11th Aug. and 24th Nov.

1774

386 19 3

Aug. 24. To ditto for victualling the
forces at Senegal, between 1st
Jan. and 31st March, 1775

1041 15 8

Oct. 25. To ditto for victualling the
forces in the province of Se-
negambia, between 25th Nov.
and 31st Mar. 1775 - -

517 0 0

Nov. 25. To ditto for victualling the
forces at Senegal, between 1st
April and 30th June, 1775;
for agents salary at James Fort
Gambia, and for fundries sup-
plied the hospital and sick, be-
tween 1st Jan. and 30th June,

1776. 1775 - - -

943 15 11

Jan. 16. To ditto for victualling the
forces at Senegal, between the
1st July and 30th Sept. 1775

949 2 6

4144 3 1

Towards the expence of
provisions delivered to the
corps in Africa.---Apply the
sum voted upon estimates,
1775, for that service - -

2321 14 10½

1822 8 2½

C c c 2

Arr.

1775.

£. s. d.

<i>Apr.</i> 29.	To Zachary Philip Fonnereau, esq. and Sir Meyrick Burrell, bart. for victualling the garrison of Gibraltar, between the 26th Dec. 1774, and 19th Feb. 1775	4929	14	9
<i>June</i> 30.	To ditto for victualling the forces at ditto, between 20th Feb. and 16th April, 1775	5014	5	7
<i>July</i> 21.	To ditto for victualling the forces at ditto, between 17th April and 14th May, 1775	2530	13	8
<i>Aug.</i> 28.	To ditto for victualling the forces at ditto, between 15th May and 11th June, 1775	2528	9	1
<i>Sept.</i> 9.	To ditto for victualling the forces at ditto, between 12th June and 9th July, 1775	2538	5	7
<i>Nov.</i> 14.	To ditto for victualling the forces at ditto, between 10th July and 6th August, 1775	2542	17	2
<i>Dec.</i> 7.	To ditto for victualling the forces at ditto, between 7th Aug. and 1st Oct. 1775	5085	8	3
	To ditto for insurance on provisions, issued at ditto, between 5th Sept. 1774, and 1st Oct. 1775	526	3	9
		25695	17	10
	Towards the expence of provisions delivered to the reg. at Gibraltar.---Apply the sum voted upon estimates, 1775, for that service	24307	17	3½
1776.				
<i>Jan.</i> 16.	To Thomas Harley, esq. for provisions sent by him for the supply of the garrison of Minorca	1388	0	6½
1775.	Minorca	5500	0	0
<i>Mar.</i> 31.	To Anthony Bacon, esq. for provisions and forage delivered to the troops in the Isle of Man, between 1st Oct. 1774, and 2d Jan. 1775	288	11	11
<i>Aug.</i> 28.	To ditto for provisions and forage delivered to the troops			

A. 1776.

D E B A T E S.

371

1775.

£. s. d.

in ditto, between 2d Jan. and
8th Mar. 1775

258 10 9

547 2 8

May 12. To Anthony Bacon and Lewis Chauvet,
esqrs. for 37 negroes, furnished and em-
ployed by them in the island of Tobago, be-
tween 30th June and 1st Oct. 1774; for
101 negroes in the island of Dominica, be-
tween 1st Oct. and 31st Dec. 1774, includ-
ing travelling charges; for 52 negroes fur-
nished by them in the island of Grenada, be-
tween 1st Oct. and 31st Dec. 1774, who
have been supplied and victualled by them,
and for duties paid on negros 1392 7 0

June 30. To ditto for 133 negroes
furnished and employed in the
island of St. Vincent from 1st
Oct. to 31st Dec. 1774, in-
cluding travelling charges, and
for 51 negroes in the island of
Grenada, between 1st Jan. and
31st March, 1775, who were
supplied and victualled by
them

1085 13 8

To Anthony Bacon and
Lewis Chauvet, esqrs. for
160 negroes furnished and em-
ployed, supplied and victualled
by them, in the island of St.
Vincent from 31st Dec. 1774,
to 5th March, 1775

926 16 8

Aug. 12. To ditto for 36 negroes in
the island of Tobago, between
the 30th of Sept. 1774, and
the 1st of Jan. 1775; for 62
negroes in ditto island, between
the 31st of Dec. 1774, and 1st
of April, 1775, and for 89 ne-
groes in the island of Domini-
ca, between 1st Jan. and 31st
Mar. 1775, furnished, employ-
ed and victualled by them

1136 3 2

Nov.

1775.

£. s. d.

Nov. 14. To ditto for 51 negroes in the island of Grenada, for 154 negroes in the island of St. Vincent, for 95 negroes in the island of Dominica, between 1st April and 30th June, 1775, and for 95 negroes in the said island of Dominica, between 1st July and 30th Aug. furnished, employed and victualled by them - - -

2237 9 10

6778 10 4

Mar. 31. To John Masterton and Sir John Inglis bart. in full satisfaction of the like sum, charges of oatmeal, firing, candles, &c. furnished to the forces quartered in the several garrisons and barracks in North Britain, from 1st Jan. to 31st Dec. 1774 - - -

1666 6 5

June 12. To lieut. col. James Masterton, for losses sustained on account of the uncommon advanced price of oatmeal supplied by him to the troops in the northern forts and barracks between 1st Jan. 1774 and 1st Jan. 1775 - - -

854 16 8

Nov. 28. To H. Bland Gardiner and James Kempt, esq. for necessities for the use of the forces in North Britain - - -

2864 2 3

5385 5 4

Apr. 12. To W. Stukeley in full satisfaction of the like sum expended by him in providing and repairing utensils for the use of the barracks at Portsmouth, and for furnishing coals and candles for the use of the forces in the said barracks - - -

105 13 9

July 26. To Andrew Clinton, esq. to enable him to provide coals and candles for the use of the forces that are or may be in the barracks at Plymouth dock - - -

500 0 0

To ditto, in full satisfaction of the like sum expended by him in providing coals, candles and fundry utensils for the use

A. 1776.

D E B A T E S.

373

1775.

£. s. d.

of the forces quartered in the
citadel of Plymouth and St.
Nicholas island, from 25th

1776. Dec. 1774 to 24th June, 1775 287 3 5

Jan. 29. To ditto for coals, candles,
and fundry utenfils for the use
of the troops quartered in do.
from 24th June to 24th Dec.

1775 - - - 277 16 0

1775. 1064 19 5

Oct. 27. To Geo. Blunt, esq. late agent to gen. Chol-
mondeley, deceased, for grafs money for the
6th reg. of dragoons in the summer, 1775

126 15 6

Dec. 4. To lieut. gen. Carpenter
for ditto, for the 4th reg. of
dragoons, in ditto summer

132 12 6

To gen. Mostyn for ditto,
for the 1st reg. of dragoon
guards, in ditto summer

292 13 6

To Sir George Howard for
ditto for the 7th reg. of dra-
goons, in ditto summer -

165 2 0

To major gen. Burgoyne for
ditto for the 16th reg. of dra-
goons, in ditto summer -

126 5 0

To major gen. Fitzroy for
ditto for the 3d reg. of dra-
goons, in ditto summer -

213 14 4 $\frac{1}{2}$

8. To the earl of Pembroke
for ditto for the 1st reg. of
dragoons, in ditto summer

126 5 0

To major gen. Johnston for
ditto for the 11th reg. of dra-
goons, in ditto summer -

382 14 3

1776. Jan. 19, To the earl of Penmure for
ditto for the 2d reg. of dra-
goons, in ditto summer -

165 2 0

1775. Oct. 27, To Sir John Mordaunt for
ditto for the 10th reg. of dra-
goons, in ditto summer -

126 5 0

1857 9 1 $\frac{1}{2}$
Mar.

1775.

£. s.

Mar. 24. To Jeremiah Meara, esq. for 963 days pay, as store-keeper to fort Frederick in North America, from 1st Jan. 1776 to 28th Aug.

1768 - - 144 9 0

31. To Sir David Lindsay, bart. for one year's pay, as aid-de-camp to His Majesty, from 7th Aug. 1772 to 6th Aug. 1773, both inclusive

200 0 0

To ditto for 363 days pay, as ditto to ditto, from 7th Aug. 1773 to 4th Aug. 1774, both inclusive

198 18 1

April 14. To capt. And. Frazer for 177 days allowance, as commissary for inspecting the Cunnette forts and batteries at Dunkirk, from 11th Oct. 1774 to 5th April, 1775

265 10 0

Dec. 4. To ditto for 188 days allowance, as ditto at ditto, from 6th April to 10th Oct. 1775

282 0 0

May 31. To Charles Gould, esq. for 275 days pay of the late major-general Bradstreet, as deputy quarter master general in North America, from 25th Dec. 1773 to 25th Sept. 1774

137 10 0

To Messrs. Cox and Mair for 183 days pay of nine additional surgeons mates to the 50th reg. of foot stationed in Jamaica, from 25th June to 24th Dec. 1774

278 10 6

April 28. To lieut. col. Dalrymple for 333 days pay, as major general with an aid-de-camp, during the expedition against the Charibbs, in the island of St. Vincent, from 26th May, 1772 to 23d April, 1773

832 13 0

June 30. To major general Haldimand for 365 days pay, as

A. 1776.

D E B A T E S.

375

1775.

L. s. d.

major general in North Ame-
rica, with an aid-de-camp,
from 25th Dec. 1773 to 24th
Dec. 1774 - - -

912 10 0

Aug. 3. To Messrs. Rofs and Gray
for the pay of nine additional
surgeons mates to the 1st bat-
talion of the 60th reg. of foot
at Jamaica, from 25th Dec.
1773 to 24th Dec. 1774

553 4 1

Dec. 8. To ditto for 182 days pay
of nine additional surgeons
mates to the 1st batt. of the
60th reg. of foot at Jamaica,
from 25th Dec. 1774 to 24th
June, 1775 - - -

277 0 7

July 26. To lieut. col. St. Leger for
146 days pay, as superinten-
dant of the recruiting service,
from 25th Dec. 1774 to 19th
May, 1775 - - -

142 7 0

Aug. 30. To col. Charles Grey, for
the difference between his
half pay, as lieut. col. of the
late 98th reg. of foot, and his
pay as aid-de-camp to his Ma-
jesty, for 562 days pay, from
the 11th June, 1773, to 24th
Dec. 1774 - - -

69 2 0

Sept. 28. To major generals, Evelyn,
Preston and How, in confi-
deration of their trouble and
expences in reviewing the
land forces, during the year
1775 - - -

2737 10 0

Nov. 17. To col. Will. Faucitt, for
93 days pay, as commissary
for mustering and embarking
a body of Hanoverian infantry
sent to the garrisons of Gi-
braltar and Minorca, from 2d
Aug. 1775 to 2d Nov. fol-
lowing - - -

465 0 0

1775.

£. s. d.

Nov. 28. To lieut. col. Bentinck for
821 days pay, as commandant
in the island of Jersey, from
25th Dec. 1769 to 24th Mar.

1776. 1772 - -

821 0 0

Jan. 19. To col. Morrison, for pay
of his two assistants, as quar-
ter master general, from 25th
Dec. 1774 to 24th Dec. 1775

182 10 0

27. To lieut. Grant, for 365
days allowance from 10th
April, 1775, to 8th April,
1776 - - -

182 10 0

To major Hayman Rooke,
for 365 days allowance, as ma-
jor to the late 98th reg. of
foot, from 25th Dec. 1774, to
Dec. 1775 - - -

273 15 0

To George Munro, esq. as
commissary of stores in North
Britain, for 365 days, from
ditto to ditto - - -

182 10 0

To lieut. col. Birch, for
365 days allowance, in lieu
of a troop of light dragoons,
from ditto to ditto - - -

282 17 6

To one year's allowance to
John Campbell, esq. as super-
intendant and inspector of In-
dian affairs in the province of
Quebeck, from 2d Oct. 1774,
to 2d Oct. 1775 - - -

300 0 0

1775.

To Molineux Shuldarn,
esq. for 35 days pay, as go-
vernor of Newfoundland, &c,
from 17th March to 20th
April, 1775 - - -

52 10 0

To Robert Duff, esq. for
181 days pay, as governor of
ditto, from 21st April to 21st
Oct. 1775 - - -

276 0 0

10049 13 9
Dec.

A. 1776.

D E B A T E S.

377

1771.

£. s. d.

Dec. 19. To George Johnstone, esq. in discharge of the balance of his account as governor of West Florida, between Sept. 1764 and Jan.

1775. 1767 - - - 3358 11 6½

Feb. 24. To lieut. gen. Pierfon, for 59 drafts furnished to the 50th reg. on its arrival at Jamaica, from the 36th reg. of foot 295 0 0

Mar. 31. To William Rice, surveyor of the horse guards, to be by him paid over to several artificers, for work done by them in repairs, &c. at Whitehall, Tilt-yard, St. James's, Kensington, Somerset House, Hampton Court, &c. between 24th Dec. 1767, and 25th Dec. 1771 - 2255 8 6¾

Dec. 8. To ditto, to be by him paid over to ditto, for work done by them at ditto, between 25th Dec. 1773, and 25th Dec. 1774 - 1847 18 0¾

April 7. To John Trotter, esq. for hospital bedding and divers utensils, for the use of the forces in North America 1308 6 0

28. To ditto, for hospital bedding, for the use of the forces at Boston in North America 675 6 8

Dec. 23. To ditto, for hospital bedding and divers utensils, for the use of the forces in North America - 1870 17 4½

To ditto, for divers utensils, for the use of the forces in

1776. ditto - - - 1111 7 10

Jan. 29. To ditto, for hospital bedding, &c. for the use of the forces in ditto - 8895 7 10

May 3. To Leonard Morfe, in consideration of the expence he he hath been put to, as well

1775.

L. s. d.

as the diligence he hath used
in compiling a work, intituled,
A list of all the officers of the
army, &c. - - -

319 5 9

To Robert Adair, esq. for
providing fundry stores for
the hospital at Boston - -

285 2 1

Dec. 8. To ditto, for his contin-
gent expences, as inspector ge-
neral of regimental infirma-
ries, from 25th Dec. 1774, to
24th June, 1775 - -

165 5 3

April 4. To Whitwell Butler, esq.
for the rent of a house at Se-
negal for the use of the chief
justice of the province of Se-
negambia for one year, ended
the 7th of Feb. 1775 - -

60 10 0

May 17. To Messrs. Cox and Mair,
Ross and Gray, and Meyrick,
for fundry expences incurred
in furnishing the recruit house,
belonging to the brigade of
foot guards, with coals, can-
dles, &c. - -

398 0 3

June 12. To Kender Mason and Co.
for the expence of repairing
the fort of St. Mark Apala-
che in East Florida - -

37 12 6

To John Ellis, esq. for the
purchase and keeping up of a
schooner for the province of
West Florida, from 1st Jan.
1775, to 1st Jan. 1776 - -

315 0 0

July 21. To John Blackburne, mer-
chant, for victualling and
maintaining four vessels, em-
ployed on the lakes Cham-
plain, Ontario, Erie and Hu-
ron, in North America, from
10th Nov. 1774, to 10th
May, 1775 - -

1600 0 0

July

A. 1776.

D E B A T E S.

379

1775.

£. s. d.

July 26.

To John Weatherhead, for a sum of money disbursed by him in becoming special bail, in the year 1767, to lieut. Benjamin Roberts, in an action brought against the said Roberts for the value of some rum which he had seized at the port of Michillimakinac in North America - 52 0 0

To Gilbert Stanton, for the hire of a sloop for the purpose of carrying dispatches from Senegal to London - 150 0 0

To lieut. col. St. Leger, for his contingent disbursements as superintendant of the recruiting service, from 25th Dec. 1774 to 24th June, 1775 97 10 4

To col. Morrison, for his contingent disbursements as quarter master general, from ditto to ditto - 303 10 0

1776.

Jan. 8.

To ditto, for his ditto, as ditto, from 25th June to 24th Dec. 1775 - 301 10 0

1775.

Aug. 17.

To William Brummell, esq. on account of expences incurred at the examination of Chelsea pensioners in different parts of Ireland - 245 1 1½

To George Carleton, for expences incurred by him in the embarkation and disembarkation of the troops at Corke in May, 1775 - 410 10 9

Sept. 6.

To John Campbell, esq. for wages, provisions and expences of a scout boat employed in South Carolina, from 28th May, 1774, to 27th May, 1775 - 357 15 8

Oct. 24.

To Jacob Wilkinson, esq.

agent

1775.

£. s. d.

agent to lieut. col. Tonyn,
governor of East Florida, for
the purchasing and keeping up
of a schooner for the service
of the said province, from 29th
Aug. 1775, to 29th Aug. 1776 417 5 0

Dec. 4. To Messrs. Ross and Gray,
for the expence of victualling,
transporting, bedding, &c. of
1700 recruits for the 60th reg.
of foot, by way of imprest and
upon account - 11560 0 0

14. To John Champion, for the
hire of a schooner at Senegam-
bia in Africa - 70 0 0

1775.

Mar. 20. To lord Blayney, to reimburse the non- 38763 12 7

commissioned officers and private men of the
38th reg. of foot, the stoppages made for the
surgeon and pay-master's allowance, from
25th June to 24th Dec. 1774 57 0 8

May 31. To Messrs. Cox and Mair,
for ditto of fundry regiments
of foot, from ditto to ditto 805 7 9

July 26. To Messrs. Roberts, for dit-
to of the 38th reg. from 25th
Dec. 1774 to 24th June, 1775 57 0 8

Aug. 3. To John Winter, esq. for
ditto for fundry regiments of
foot, from ditto to ditto, and
for the allowance of bread-
money for the 11th reg. of
foot to 25th April, 1775 321 7 7

To Messrs. Adair and Bul-
lock, for paymasters and sur-
geons allowances to fundry
regiments of foot, from 25th
Dec. 1774, to 24th June, 1775 170 1 0

To James Meyrick, for dit-
to of fundry regiments of foot,
from ditto to ditto 556 9 0

To Edward Bishopp, esq. -

A. 1776.

D E B A T E S.

381

1775.

£. s. d.

for ditto of the 5th and 29th
reg. of foot, and for bread to
the 29th reg. from ditto to ditto 401 3 2

To Edmund Armstrong,
esq. for ditto of the 8th and
32d reg. of foot, and for bread
to the 32d, from ditto to ditto 403 5 5

To Adam Wood, esq. for
ditto of the 31st reg. of foot,
from ditto to ditto, and for
bread-money for the said regi-
ment, from 31st Dec. 1774,
to 30th June, 1775 - 295 15 3

July 25. To Messrs. Rofs and Gray,
to reimburse the non-com-
mission officers and private
men of fundry regiments of
foot, the stoppages made for
the surgeons and paymasters
allowance, from 25th Dec.
1774 to 24th June, 1775 694 11 7

Oct. 17. To Messrs. Cox and Mair,
for ditto of fundry regiments
of foot, from ditto to ditto 751 12 4

May 13. To Messrs. Cox and Mair, for his Ma-
jesty's allowance towards the encreased price
of bread to the 36th reg. of foot, stationed at
Dover castle, and a detachment of the 14th
reg. of foot stationed at Archcliffe fort, from
25th June to 24th Dec. 1774 295 16 11

Aug. 3. To lord Adam Gordon, for
ditto to the 66th reg. of foot
at Edinburgh castle, from 8th
Dec. 1774, to 21st June, 1775 275 12 5

Sept. 28. To ditto, for ditto to ditto
reg. at ditto, from 22d June
to 5th Sept. 1775 - 121 13 6

Oct. 27. To Messrs. Cox and Mair,
for ditto to the 36th reg. and
a detachment of the 14th reg.
of foot stationed at Dover castle 323 1 2

4513 14 5

1016 4 0

Mar.

1775.

£. s. d.

Mar. 31. To major gen. Preston, for providing horse furniture and accoutrements for the additional serjeants and private men to the 17th reg. of dragoons - 630 9 0

Nov. 13. To major gen. Burgoyne, for ditto for the additional private men to the 16th reg. of dragoons - 315 4 6

Dec. 4. To lieut. gen. Elliot, for ditto for the additional serjeants, corporals and private men to the 15th reg. of dragoons - 525 7 6

 1471 1 0

May 31. To lieut. gen. Lambton, to replace sundry accoutrements and other appointments lost by the 68th reg. of foot, upon the reduction of the Charibbs at St. Vincent's, in the year 1772 - 180 8 3

Dec. 23. To James Meyrick, esq. to be paid over to sundry officers of the 46th reg. of foot, for losses sustained by them on board the transports forced into Milford Haven by the storm on the 19th and 20th Oct. 1775 135 6 7

1776.
Jan. 8. To major gen. Carleton, to replace sundry accoutrements and cloathing belonging to the 47th reg. of foot, consumed by fire at Boston, in North America, on 17th May, 1775 316 19 5

To Messrs. Adair and Bullock, to reimburse the losses sustained by the non-commission officers and private men of ditto regiment, whose necessaries were consumed by fire at ditto on the 17th of May, 1775 - 140 0 0

To lieut. gen. Urmston, to replace accoutrements, &c. of the 65th reg. of foot, consumed

A. 1776.

D E B A T E S.

383

1776.

£. s. d.

by fire at Boston, in North
America, on 17th May, 1775

477 4 3

1775.

1249 18 6

May 10. To lord Adam Gordon, in lieu of 51 days
off-reckonings for the additional of the
66th reg. of foot, that the assignment for the
said additional may not be carried farther
than the 5th July, 1776, inclusive, being the
period of the assignment for their former
numbers

75 3 4

To lieut. gen. Lambton, in
lieu of 51 days pay for the
ditto to the 68th reg. of foot

75 3 4

To lieut. gen. Trapaud, in
lieu of 51 days ditto for the
ditto to the 70th ditto

75 3 4

To Sir James Adolphus
Oughton, in lieu of 51 days
ditto for the ditto to the 31st
ditto

75 3 4

To lieut. gen. Pierfon, in
lieu of 51 days ditto for the
ditto to the 36th ditto

75 3 4

To major gen. Evelyn, in
lieu of 92 days ditto for the
ditto to the 29th ditto

135 11 11

To col. Robinson, in lieu of
51 days ditto for the ditto to
the 32d ditto

75 3 4

To major gen. Mackay, in
lieu of 51 days ditto for the
ditto to the 21st ditto

75 3 4

To col. Maxwell, in lieu of
51 days ditto for the ditto to
the 67th ditto

75 3 4

Oct. 23. To lieut. gen. Armstrong,
in lieu of 293 days ditto for
the ditto to the 8th ditto

729 1 1

To lieut. gen. Hodgson, in
lieu of 293 days ditto for the
ditto to the 4th ditto

729 1 1

To major gen. Carleton, in

1775.

£. s. d.

lieu of 293 days ditto for the ditto to the 47th ditto 729 1 1

To lieut. gen. Monckton, in lieu of 354 days ditto for the ditto to the 17th ditto 880 16 9

To major gen. Howe, in lieu of 293 days ditto for the ditto to the 23d ditto 729 1 1

To major gen. Erle, in lieu of 293 days ditto for the ditto to the 28th ditto - 729 1 1

To major gen. Pomeroy, in lieu of 293 days ditto for the ditto to the 64th ditto 729 1 1

To lieut. gen. Haviland, in lieu of 293 days ditto for the ditto to the 45th ditto 729 1 1

To col. Massey, in lieu of 293 days ditto for the ditto to the 27th ditto - 729 1 1

To lord Blaney, in lieu of 293 days ditto for the ditto to the 38th ditto - 729 1 1

To earl Percy, in lieu of 293 days ditto for the ditto to the 5th ditto - 729 1 1

To lord Robert Bertie, in lieu of 354 days ditto for the ditto to the 7th ditto - 889 16 9

To major gen. Scott, in lieu of 293 days ditto for the ditto to the 26th ditto - 729 1 1

To major gen. Campbell, in lieu of 293 days ditto for the ditto to the 35th ditto - 729 1 1

To Sir Eyre Coote, in lieu of 293 days ditto for the ditto to the 37th ditto - 729 1 1

To major gen. Maitland, in lieu of 293 days ditto for the ditto to the 49th ditto - 729 1 1

To the earl of Cavan, in

lieu

A. 1776.

D E B A T E S.

383

1775.

L. s. d.

lieu of 293 days ditto for the
ditto to the 55th ditto

729 1 1

To col. Pigot, in lieu of
293 days ditto for the ditto to
the 15th ditto

729 1 1

To Sir Will. Boothby, in
lieu of 293 days ditto for the
ditto to the 6th ditto

729 1 1

To lieut. gen. Sandford, in
lieu of 354 days ditto for the
ditto to the 10th ditto

880 16 9

To lieut. gen. Keppel, in
lieu of 354 days ditto for the
ditto to the 14th ditto

880 16 9

To major gen. Gislborne, in
lieu of 293 days ditto for the
ditto to the 16th ditto

729 1 1

To lieut. gen. Gage, in lieu
of 354 days ditto for the ditto
to the 22d ditto

880 16 9

To Sir Robert Hamilton,
in lieu of 293 days ditto for
the ditto to the 40th ditto

729 1 1

To lieut. gen. Cary, in lieu
of 293 days ditto for the ditto
to the 43d ditto

729 1 1

To gen. Abercromby, in
lieu of 293 days ditto for the
ditto to the 44th ditto

729 1 1

To lieut. gen. Clavering, in
lieu of 293 days ditto for the
ditto to the 52d ditto

729 1 1

To major gen. Grant, in
lieu of 293 days ditto for the
ditto to the 63d ditto

729 1 1

Oct. 27. To lieut. gen. Urmston, in
lieu of 293 days ditto for the
ditto to the 65th ditto

729 1 1

To col. Vaughan, in lieu of
293 days ditto for the ditto to
the 46th ditto

729 1 1

Nov. 24. To lord John Murray, in

L e e 2

lieu

1775.

£. s. d.

lieu of 231 days ditto for the
ditto to the 42d ditto 1137 15 8

To ditto, in lieu of 292 days
ditto for the ditto to ditto reg. 497 15 3

Nov. 28. To Sir Charles Montague,
in lieu of 353 days ditto for
the ditto to the 2d ditto 520 5 8

To the duke of Argyll, in
lieu of 292 days ditto for the
ditto to the 1st ditto 860 15 0

To lieut. gen. Murray, in
lieu of 292 days ditto for the
ditto to the 13th ditto 430 7 6

To lord George Lennox, in
lieu of 292 days ditto for the
ditto to the 25th ditto 430 7 6

To the earl of Eglintoune,
in lieu of 292 days ditto for
the ditto to the 51st ditto 430 7 6

Dec. 8. To major gen. Burgoyne, in
lieu of 50 days ditto for the
ditto to the 16th reg. of dra-
goons - - 32 12 8

15. To Sir Jeffery Amherst, in
lieu of 303 days ditto for the
ditto to the 60th reg. of foot 893 3 6

To col. Barlow, in lieu of
292 days ditto for the ditto to
the 61st ditto - 430 7 6

To major gen. Sherrard, in
lieu of 292 days ditto for the
ditto to the 69th ditto 430 7 6

23. To lieut. gen. Elliott, in
lieu of 156 days ditto for the
ditto to the 15th reg. of dra-
goons - - 192 6 3

29654 0 11

Mar. 31. To lieut. gen. Boscawen, for the like sum
expended by him in providing divers camp
necessaries for the 23d reg. of foot

196 14 9

To lieut. gen. Owen, for
ditto for the 59th ditto 196 14 9

To

A. 1776.

D E B A T E S.

387

1775.

L. s. d.

	To major gen. Pomeroy, for ditto for the 64th ditto	196	14	9
April 12.	To lord Blaney, for ditto for the 38th ditto	196	14	9
	To earl Percy, for ditto for the 5th ditto	196	14	9
May 31.	To lieut. gen. Hodgson, for ditto for the 4th ditto	186	18	0
	To major gen. Carleton, for ditto for the 47th ditto	186	18	0
	To lieutenant general Sandford, for ditto, for the 10th foot	186	18	0
	To lieut. gen. Keppel, for ditto, for the 14th foot	186	18	0
	To Sir John Sebright, for ditto, for the 18th foot	186	18	0
	To lieut. gen. Gage, for ditto, for the 22d foot	186	18	0
	To Sir Robert Hamilton, for ditto, for the 40th foot	186	18	0
	To lieut. gen. Cary, for ditto, for the 43d foot	186	18	0
	To gen. Abercromby, for ditto, for the 44th foot	186	18	0
	To lieut. gen. Clavering, for ditto, for the 52d foot	186	18	0
	To maj. gen. Grant, for ditto, for the 63d foot	186	18	0
	To lieut. gen. Haviland, for ditto, for the 45th foot	186	18	0
June 23.	To Lord Robert Bertie, for ditto, for the 7th foot	186	18	0
	To maj. gen. Campbell, for ditto, for the 35th foot	186	18	0
	To maj. gen. Maitland, for ditto, for the 49th foot	186	18	0
Sept. 11.	To colonel Massey, for ditto, for the 27th foot	186	18	0
July 26.	To maj. gen. Preston, for ditto, for the 17th dragoons	486	12	6
Sept. 28.	To lieut. gen. Monckton, for ditto, for the 17th foot	186	18	0

To

1775.

L. s. d.

To col. Vaughan, for ditto,
for the 46th foot - - - 186 18 0

To maj. gen. Scott, for
ditto, for the 26th foot - - - 186 18 0

To lieut. gen. Gage, for
camp equipage, as commander
in chief in North America - - - 1000 0 0

Oct. 23. To maj. gen. Erle, for camp
necessaries for 28th foot - - - 186 18 0

Dec. 15. To earl Cornwallis, for
1776. ditto, for the 33d foot - - - 186 18 0

Jan. 8. To maj. gen. Carleton, for
camp equipage, as commander
in chief in the province of
Quebec, &c. - - - 1000 0 0

To maj. gen. Howe, for
ditto, as commander in chief
in North America - - - 1000 0 0

1775.

June 23. To maj. gen. Preston, for
bas horses to the 17th reg. of
dragoons ordered to North
America - - - 70 0 0

To the colonels of the 22d,
35th, 40th, 44th, 49th, and
63d regiments of foot, ordered
to ditto - - - 770 0 0

Aug. 2. To the colonels of the 17th,
27th, 28th, 46th, and 57th
regiments of foot for bas
horses ordered to North Ame-
rica - - - 550 0 0

Oct. 27. To the colonels of the 15th,
37th, 53d, 54th, and 57th
regiments of foot for ditto,
ordered to ditto - - - 550 0 0

Dec. 8. To maj. gen. Burgoyne, for
ditto, to the 16th reg. of
1776. dragoons, ordered to ditto - - - 70 0 0

Jan. 9. To the colonels of the 3d,
9th, 11th, 20th, 24th, 29th,
33d, 34th, and 62d reg. of

foot

A. 1776.

D E B A T E S.

389

1776.

£. s. d.

foot, for ditto, ordered to
ditto - - - -

990 0 0

1775.

June 23.

To maj. gen. Preston, for
baggage horses to the 17th
reg. of dragoons, ordered to
ditto - - - -

180 0 0

To the colonels of the 22d,
35th, 40th, 44th, 45th, 49th,
and 63d reg. of foot, for ditto,
ordered to ditto - - - -

1251 5 0

Aug. 2.

To the colonels of the 17th,
27th, 28th, 46th, and 55th reg.
of foot, for do. ordered to do.

893 15 0

Oct. 27.

To the colonels of the 15th,
37th, 53d, 54th, and 57th reg.
of foot, for do. ordered to do.

893 15 0

Dec. 15.

To maj. gen. Burgoyne, for
ditto, to the 16th reg. of dra-
goons, ordered to ditto -

180 0 0

1776.

Jan. 9.

To the colonels of the 3d,
9th, 11th, 20th, 24th, 29th,
33d, 34th, and 62d reg. of
foot, for ditto, ordered to
ditto - - - -

1608 15 0

1775.

Mar. 20.

To Adam Wood, esq. for 100 days fo-
rage to the 31st reg. of foot, in consideration
of their having been employed during the
year 1773, on an expedition against the
Charibbs, in the island of St. Vincent

120 0 0

To Edmund Armstrong,
esq. for 100 days ditto, to
the 32d reg. employed on ditto
expedition - - - -

97 10 0

To Messrs. Ross and Gray,
for 100 days ditto, to the 6th
and 60th reg. of foot, employ-
ed on ditto expedition -

265 0 0

To Messrs. Meyrick, for
100 days ditto, to the 68th

3000 0 0

5007 10 0

and

390
1775.

PARLIAMENTARY

A. 1776.

£. s. d.

and 70th reg. of foot, employ-
ed on ditto expedition - - 142 10 0

To Messrs. Cox and Mair,
for 100 days ditto, to the 14th
and 50th reg. of foot, employ-
ed on ditto expedition - 275 0 0

June 23. To the colonels of the 22d,
35th, 40th, 44th, 45th, 49th,
and 63d reg. of foot, for 100
days ditto, ordered to North
America - - - 1557 10 0

Aug. 2. To the colonels of the 17th,
27th, 28th, 46th, and 55th
reg. of foot, for 100 days ditto,
ordered to ditto - - - 1112 10 0

Oct. 27. To the colonels of the 15th,
37th, 53d, 54th, and 57th,
reg. of foot, for 100 days ditto,
ordered to ditto - - - 1112 10 0

1776.
Jan. 9. To the colonels of the 9th,
3d, 11th, 20th, 24th, 29th,
33d, 34th, and 62d reg. of
foot, for 100 days ditto,
ordered to ditto - - - 2002 10 0

6685 0 0

To the expedition under the command of
the earl Cornwallis, upon account of con-
tingencies and extraordinaries of the troops

40000 0 0

Total £. 845165 14 8½

War-office,
1st March, 1776.

BARRINGTON.

March 1.

Hon. Temple
Luttrell.

Hon. Temple Luttrell moved, that the proper officer do
lay before this House the last weekly accounts received at the
admiralty, from the admiral and commander in chief of his
Majesty's ships or vessels at the several ports of Chatham,
Plymouth, and Portsmouth, together with the last weekly
accounts of the state and condition of all such ships and
vessels of war as are now employed upon channel service in
Great-

Great-Britain or Ireland." He introduced his motion with some strictures upon the Admiralty, for the little care that had been taken in manning the men of war for the American service; by which misconduct some of the frigates had run ashore, and others been impeded in their voyage, &c. He insisted upon it, that so numerous a fleet as that, which it is said, would amount to near one hundred sail, could not possibly be fitted out without press-warrants; yet he did not condemn the withholding such expedient; for next to the compelling Americans to serve against Americans, nothing could be worse than to force Britains to fight against them. He asked if it would not be wiser to have fifty men of war on that service properly manned, than one hundred in so wretched a condition? The fleet in America, including store-ships, victuallers, and small craft, must require upwards of 20,000 men, which would be more than could be spared at so remote a distance consistent with the safety of these islands, when your resources of men for land and sea service were so reduced, and the French and Spaniards actually fitting out large naval armaments, and increasing their military establishments. Some ministerial gentlemen had asserted, the evening before, that we had twenty sail of line of battle ships fit to encounter any enemy whatever at a few days notice. This was absolutely a false state of facts. He would engage to prove, by indisputable evidence at the bar, that when the rest of the ships destined for America shall have sailed, there will not be seamen sufficient, in all the ports put together, to complete the complements of fourteen sail of the line. The Spaniards will in less than six weeks have a greater force than that within two days sail of Gibraltar, and we have only one ship of the line in the Mediterranean. The French are now superior to us in all parts of the world, excepting North-America. We have not a single line of battle ship either in the East or West-Indies. France has a squadron at Hispaniola, and 10,000 land forces. Are we then henceforward to hold our very existence as a nation by no better tenure than the impolitic faith or commiseration of the house of Bourbon?

Right honourable *T. Townshend* seconded the motion.

Sir *Hugh Palliser* replied, that the navy was in a most flourishing state at home; and said that the American ships were manned in a most satisfactory manner. The guard-ships had supernumerary hands, and seamen came in faster than was requisite.

Right Hon
T. Townshend.
Sir *Hugh*
Palliser.

Lord *Mulgrave*.

Lord *Mulgrave* supported these assertions, and declared as a professional man, that we could have a fleet of forty sail of the line in a few weeks, and sixty in a month's time, if necessary.

Gov. *Johnstone*.

Governor *Johnstone* replied, and shewed that there was but too much reason to apprehend we were going to our lowest ebb as a maritime power as well as a commercial one.

Mr. *W. H. Hartley*.

Mr. *W. H. Hartley* expressed his concern that country gentlemen should encourage ministry in the unconstitutional practice of withholding information, from the representatives of the people.

The question being put, the House divided; for it 44; against it 93.

Adjourned to March 4.

March 4.

Ld. *North*.

Col. *Barré*.

Lord *North* moved, that the resolutions of the committee of supply be reported. The first resolution being read, Colonel *Barré* pointed out several objectionable passages in the treaties; allowing the hiring foreign troops, even for argument sake, to be a wise and politic measure. He desired to know, in the first instance, as the treaty provided that the Hessian officers should have every emolument that natives are allowed, and to be put on a footing, in every respect, with our own tried veterans, whether the two-pences in the cloathing to the colonels, was meant to be included, and likewise where the cloathing was to be procured, whether in Germany or in Britain? He was very jocular on this species of military profit; and said, he did not doubt but this sale of human blood would turn out as advantageous to the woollen manufactures of Brunswick and Hesse, in the cloathing branch, as it was already likely to become lucrative to their respective sovereigns. He observed, that the treaty might probably continue in force for four years, for it was difficult to fix the period on many accounts, which he forebore now to mention; if then, by any accident arising from defeat, pestilence, or the danger of the seas, the Hessians should be reduced to 8000 men, perhaps to half their number or less, in such a possible, nay all circumstances considered, such a probable event, he should be glad to be informed by the minister, or his trusty friend the minister of the war department, who now and then steals a peep into the cabinet, though he is never permitted within the hallowed door, whether the Landgrave of Hesse, or Duke of Brunswick, is to have the full pay, as if their respective quotas continued full and complete?

Lord

Lord *Barrington* replied, he could not answer that question till he had taken time to consider. After a little pause, his Lordship said, "The best time to answer the honourable gentleman's question will be, when such a reduction actually happens."

Mr. *J. Johnstone* said, it was impossible to deal with people who thus played at cross-purposes; and though a young member, he ventured to pronounce it to be the first time that ever such an answer was offered to be given in Parliament. He remarked, it was no bad beginning: the noble Lord used to be pretty liberal of his promises; but so many of them had been lately either falsified or over-ruled, his Lordship, he presumed, was determined, in future, to make only such as he was certain could neither be falsified nor contradicted; for his promise, if it could be at all called one, was such, that let the event be what it might, he could not possibly be charged with a breach of it.

Lord *Clare* said, it was the first time he ever heard a minister called to promise for events it was impossible for any man at present to foretell. The whole force now sending to America might be cut off, or it might not suffer the loss of a single man; but in either event it was plain, that we should not be obliged to pay for more men than were in actual service; it being evident, that as we were obliged to pay the expence of recruiting, it could not at the same time be expected that we should pay for the non-effective.

Sir *John Griffin Griffin* allowed that the noble Lord's observation was very just; it could not be supposed that we were to be at the expence of recruiting, and be obliged to pay for levies that were not complete; but yet it seemed a little extraordinary, that the noble Lord in office should have expressed himself so cautiously on a matter, which if it had not been mentioned, did not, in his opinion, leave the least foundation for ambiguity or misrepresentation.

Governor *Johnstone* was severe on administration: he said, whether we had a double cabinet, or had not, he would not pretend to determine; but he was certain that we had a double administration, or the same men presented two faces, according as it answered their present convenience, or suited their present views. One minister [Lord Hillsborough] assured the Americans, in the most solemn manner, that it was never the intention or wish of this country, to tax them. The other [Lord North] had the other night in debate, openly and decisively declared, that America ought, and should submit to

be taxed by the British Parliament, and to every law this country might think proper to pass for her future government and regulation.

Gen. Conway.

General *Conway* observed, it was true enough that the noble Lord alluded to [Lord Hillsborough] had broke his word with America; and so had administration, as approving of the circular letter, in which every claim to taxation was formally renounced; but for his part, it appeared to him from the very beginning, whatever assurances to the contrary might have been given or held out, to the present moment, that what the country gentlemen avow to be their motives for prosecuting the war against America, were likewise the great objects administration had in view. Administration told the country gentlemen, support us and we will ensure you a revenue from America. The country gentlemen are now giving that support, in expectation of getting a revenue, of which perhaps they will never see a shilling; or if they should, never to be of the least service in lightening those heavy burdens, of which they now so loudly complain.

Mr. Fox.

Mr. *Fox* attacked the minister on his frequent breach of promise, ever since he came into office; not but in his opinion he was full as much bound by a promise when he was only chancellor of the Exchequer, as since he became first Lord of the Treasury. He was not deserving of the first, if he could retain an office the very essence of which was to look into and take care of the public finances of the nation; and yet permit a letter which at once gave up and surrendered so fundamental a right of the British Parliament as the right of taxation was now contended to be; for either he approved of the letter in question or he did not. If he did, how can he now come and contradict his former opinion, when he and his colleague's approbation of that letter is perhaps the very cause of the present civil war? Or, if he never approved of the letter, how could he, consistently with his own honour, remain in a situation in which he was virtually pledged for a true and faithful performance of its contents? Why not resign, sooner than give his concurrence in council to measures of which he secretly disapproved?

Lord North.

Lord *North* denied that he was bound by any man's promise but his own. It did not become him to disclose the secrets of his office, or betray the confidence that had been reposed in him. It was enough for him now to declare, that he never gave either promise or assurance, and that consequently, he had not broken any.

The resolution being read a second time, the question was put, "Is it your pleasure to agree with your committee in this resolution?" And the House divided, ayes 120; noes 48. The question was put likewise on the other resolution, and agreed to without a division.

Colonel *Barré* then rose, and made the following motion: Col. *Barré*.
 "That an humble address be presented to his Majesty to humbly desire him to use his interest, that the German troops in British pay, now or hereafter, may be cloathed with the manufactures of this country." Agreed to.

March 5.

Second reading of the Scotch militia bill.

Right honourable *T. Townshend* said, he had been always Rt. Hon.
T. Town-
shend. averse to any further encrease of a perpetual armed force, as it had been uniformly fatal to the liberties of every country where such a destructive policy was permitted to prevail. The liberties of France had been overthrown by a standing military establishment; and so had every free government in Europe. But if he had no fears on that account, he owned he had very strong objections on the ground of expence, and the disproportion between the quantum of taxes paid by the people of the southern and northern parts of this island. The House, he observed, was then much thinner, than from the importance of the subject now under discussion might be well expected, but supposed it would be shortly much fuller; at which time, he said, he would move to postpone the further consideration of the bill for three months. He passed several compliments on the candour and parliamentary decorum of the noble Lord [Lord Mountstuart] who brought in the bill, in putting it off from time to time, in expectation of its at length being discussed in a full House: that, however, from the disinclination to public business, which had been manifested since the commencement of the present session, was more than was to be expected.

Mr. Dempster. He declared how painful it was always to Mr. *Demp-*
ster. him, when he found himself under the necessity of differing from his right honourable friend; but he believed, when the bill should come into a committee, that gentleman, as well as many others who now disapproved of it, would very probably change their sentiments. The expence would not be so great as some gentlemen might be inclined to believe, as the whole number meant to be embodied, was no more than 6000 men; who were to be paid out of the Scotch revenue. In answer to the great disproportion between the taxes, he urged,

urged, that except the land-tax, all other duties and taxes stood upon an equal footing in both countries; and he presumed, were proportioned to the abilities of those on whom they were raised. As to the land-tax, it was fixed by solemn and national compact at the treaty of union.

Lord John
Cavendish.

Lord *John Cavendish*. If a militia for Scotland be at all necessary, it should be only on the condition of Scotland bearing the additional expence, and laying that burthen on her own lands, which were very low taxed, and not pay it out of the customs and excises, the produce of which was already appropriated. The militia was a force raised by the land-owners to defend their property; the expence was borne by them, and directly paid out of the land-tax. The proportion which Scotland bore of that tax was hardly worth mentioning; one county in England paying more than the whole kingdom of Scotland. Besides, the share Scotland bore in national representation was not above the proportion of one to eleven; so that taking it in any light, either of taxation or representation, Scotland was intitled to no militia, unless she accepted of that privilege, and took it with all its consequences; namely, defraying the whole expence, or submitting to pay such a proportion of the land-tax, as would entitle her to the favour she seemed so desirous of obtaining.

Rt. hon. Sir
Gilbert Elliot.

Right hon. Sir *Gilbert Elliot* said, a well-ordered militia in Scotland would be the means of giving additional strength and security to the whole island; and contended, if such a body of men had existed in the years 1715 and 1745, those rebellions would have been crushed in the very commencement. It was the bad policy of those times, that those who were ill affected to the government were provided with the means of disturbing the public tranquility, while those who were dutiful and loyal subjects, were left at their mercy, naked and defenceless. The evil now no longer existed in one instance, and he hoped it would be likewise removed in the other.

Mr. Burke.

Mr. *Burke*. In his opinion, Scotland was neither properly taxed, nor fully represented; nor until she was, could she be entitled to the favour now desired. The proportion between the numbers to be embodied in both kingdoms, was in a proportion of one to five, whereas Scotland did not pay above one-fortieth of the land-tax, the very specific tax out of which the money for the pay and cloathing the militia was to be drawn. He therefore could not possibly conceive how the people of that country could come to Parliament, and expect

pect that a Scotch militia, at least five-sixths of the expence to be incurred by such an establishment, must be paid by English land-owners. It was an absurdity on the very face of it; it was directly repugnant to the first principles on which a national militia was formed or paid. He had other objections against the bill; one was, that it threw more power into the hands of the crown than had hitherto been thought consistent with public liberty. In king William's time, when one half of the kingdom were attached to their exiled prince, and when one of the most powerful and ambitious monarchs that ever sat on the French throne, or any throne in Europe for several centuries, and who besides had a personal enmity to our new-elected king, even in such a critical season as that, 7000 standing forces were thought fully sufficient to protect this kingdom against all its open foes and secret enemies; and will any man, who wishes to be believed, pretend to tell us, that a standing force of five times the number, in times of profound peace, and an English militia of 32,000 men, are not, when none of those causes exist, fully adequate to every purpose of preserving domestic tranquility, and of repelling any attempts of our foreign enemies?

Governor *Johnstone* allowed, that the land-tax paid by Gov. *Johnstone* Scotland, bore no proportion to the proposed number to be embodied, but that was but one tax; for in every other respect Scotland paid to the extent of her abilities; and though perhaps the other taxes did not rise in proportion as they had done in England, that proved no more than that the former had not encreased equally in riches with the latter. He said there was a circumstance which deserved consideration; that was, that the greatest part of the landed income of Scotland was spent in England, therefore in point of material benefit, the difference was very little to this country, whether that was taxed three-pence, or four shillings in the pound; for the money, the principal as well as part of the land-tax thus remitted, ultimately centered here. He observed too, that the present bill was in some respects better than the English militia act, because it contained a clause that no man should be permitted to serve twice as a substitute, which would be the means of training a much greater number of men to the use of arms.

Sir *Adam Fergusson* disclaimed all partiality or local prejudices. Said he did not take up the matter as a Scotchman, Sir *Adam Fergusson*, but as a Briton, because he believed it would be a means of pro-

procuring a complete national defence. He was surprised to hear so much said about the disproportion of the revenue of this country, and that when a moment's impartial consideration would point out, that a revenue could not be raised in two places on the same sum. The greatest part of the landed income arising in Scotland was drawn out of it and spent here. What matter then to this country, whether the money was collected in Middlesex or in the shire of Edinburgh? If it made any difference, it was the convenience of collecting the revenues on the spot. But besides the revenues acquired in this manner, how were they encreased through the medium of our manufactures? Nay, he had no doubt, if the amount of the revenue, on the English manufactures, sent to, and consumed in Scotland, were properly stated, it would exceed the whole of the revenue, arising from the consumption of all North-America. Look at the labouring man's hat, it is English. Look at his coat, it is English. His shoes, stockings, and buckles are all English. Look again at the wives and daughters of every rank, from the duke to the peasant, and their gowns, ribbons, &c. are all English. He observed that several persons of rank, who held offices of great profit in Scotland, resided constantly in England. Among others he alluded to a noble Lord in the House, [Lord Frederick Campbell] and a noble Duke in the other, [the Duke of Queensberry.] In short, as the treaty of Union had abolished the names of Englishman and Scotchman, and united them in that of Briton, he wished that all local distinctions were forgotten, and that individuals, copying the language of the legislature, would do the same.

Mr. Byng.

Mr. Byng opposed the commitment, chiefly on the ground of the expence. He was of opinion that no necessity at present existed for a militia in Scotland; and as there did not, he thought it would be only incurring an expence to answer no solid or beneficial purpose whatever.

Sir Cecil Wray.

Sir Cecil Wray said he had been always for a militia, as the only sure and safe constitutional defence; that he had acted under the law for several years as deputy-lieutenant, and experience had convinced him how well suited it was to effect the purposes for which it was first established.

Lord Fred. Campbell.

Lord Frederick Campbell said, the honourable Gentleman [Sir Adam Fergusson] he understood had alluded to him, as spending the money derived from his office in this country; but he begged leave to assure him, that for the last two years he had resided more in Scotland than in England; and if the honourable Gentleman would repay him the money his office had cost him, he should have all the money he ever received, with

with all its emoluments, and the office itself into the bargain. He thought it therefore not fair to compare him to the noble Duke, who had not so much as seen Scotland for several years.

Mr. *Turner*, against militias in general, said they were the *Mr. Turner.* cause of idleness; and, in times of real danger, would be of very little use.

Mr. *Powys* gave notice, that he would move a clause in *Mr. Powys.* the committee, to confine the Scotch militia to that part of the island.

March 6.

The *Lord Mayor* [Mr. Sawbridge] made his annual mo- *Lord Mayor.* tion, that leave be given to bring in a bill to shorten the duration of Parliaments.

Mr. *Turner* seconded the motion. *Mr. Turner.*

Mr. Alderman *Bull.* As I consider the question now be- *Mr. Alder-* fore us of infinite importance, I cannot content myself with *man Bull.* giving it a silent vote.

The frequent instructions our constituents have given, to attempt in this instance a restoration of the constitution, is to me an additional recommendation of it.

The livery of London, Sir, are the most numerous body of electors in the kingdom; and I can with confidence assert, that on this point the greatest unanimity prevails amongst them. In this respect they are by no means singular; for if you refer to the opinions of all parties, as delivered in an almost infinite number of instructions and recommendations from the year 1716, when that violation of the people's rights, the septennial act, passed, to the present time, you will find, that the utmost dread and apprehension of the evil consequences of that act are expressed, accompanied with the most earnest recommendations to their representatives, to obtain a repeal of it, that the people may be thereby restored to their antient right of frequently electing new Parliaments.

The concurring testimony of all sorts of men, on a great variety of occasions, it might reasonably be supposed, would obtain without difficulty a point so important to their interests; and but for the experience of many years, it would be thought incredible, that the bulk of the people should thus earnestly solicit, and yet solicit in vain.

Short Parliaments, Sir, are essential to the security of English liberty.

Power cannot revert too often to those to whom it belongs; and the more frequent the appeal is made to the people, the more entire will be their confidence in the executive parts of government.

I consider the many calamities which we at present labour under, as resulting from long Parliaments; under their sanction and influence corruption has been reduced to a system; and it will be happy for posterity if it does not eventually sap the very foundations of our once glorious constitution, and overwhelm it in irretrievable destruction.

Bad ministers confide in long Parliaments, and consider them as their great security. Hence it is the people are surprised and betrayed, one Parliament suddenly dissolved, and another speedily elected, and power thereby almost perpetuated. But for this security can it be supposed, that in our days we should have seen such undue exertions of ministerial power, as the people have complained of?

Should we have seen the glories of a successful war obscured by a shameful and ignominious peace? The privileges of the members of this House sacrificed, in the person of an individual, to private resentment; the rights of the electors violated; enormous sums granted without enquiry, and without account; Popery established under a Protestant government; and a long black catalogue of other enormities? Should we, Sir, have had these things to complain of, but for the influence of corruption, and that increased and established by long Parliaments?

I will venture to say we should not. I will only add, that if we have any regard for the virtue of the people; if we wish to preserve the constitution and all that is dear to a free nation; if we respect the opinions of a manifest majority of our constituents; and if we have any regard to our own reputation as independent men; and as uncontaminated by ministerial influence, we shall all give our most hearty Amen to this question.

Sir George
Yonge.

Sir George Yonge spoke in favour of the motion.

There was no reply.

The question was called for, and put. For the motion 64; against it 138.

March 7.

Examined evidence on Hindon incapacitating bill. Adjourned it to the 19th.

March

March 8.

Lord *Barrington* gave notice that he should move the Lord *Bar-*
House on Monday next the 11th, "That a supply be granted *rington.*
to his Majesty for the extraordinaries of the army for the
current year."

Colonel *Barré* made several observations on the articles of Col. *Barré*,
expence contained in the accounts of the extraordinaries of
the army in North-America. It appeared to him, from the
accounts of the extraordinaries for North-America, that the
sum of 600,000*l.* was charged for the support of 6000 men in
Boston only, which is at the rate of 100*l.* per annum for
every soldier; what then, he asked, must it cost the nation,
if it be found necessary to employ 40,000 men on this fatal
service, who are to be supplied with all the necessaries of hu-
man life (water excepted) from this country? He added,
that he could not return home to his constituents with a safe
conscience, without calling for a particular account of the
expenditure of such a sum, to know in what the charge con-
sists, so as to justify his voting the supply on Monday next.
He therefore begged leave to make the following motion,
"That there be laid before this House, copies of the requisi-
tions made by the commander in chief of his Majesty's forces
in North-America, on which the sums have been advanced
(which appear in the account of extraordinary services in-
curred, and paid by the right honourable Richard Rigby,
paymaster-general of his Majesty's forces, between the 9th
of March 1775, and the 31st of January 1776, and not pro-
vided for by Parliament, to have been advanced) to Thomas
Harley and Henry Drummond, esquires, to be by them ap-
plied and invested in the purchasing Spanish and Portugal
coins, for the use and service of his Majesty's forces in
North-America, together with an account of the expen-
diture thereof, as far as the same can be made up."

Mr. *D. Hartley* second the motion. He spoke of the pro- Mr. *D.*
priety of it, and expatiated upon the necessity, on many ac- *Hartley.*
counts, of going into the proposed enquiry.

Lord *North* promised to lay before the House the requisi- *Ld. North.*
tions of the commander in chief, on which the warrants from
the Treasury were issued; but as for the accounts of the ex-
penditures, he said they were not made out; many of them
were not arrived; all the money issued was not expended; it
was necessary, in case of emergencies, that the commander in
chief should have sums in hand; consequently of these it was
impossible to give any account till they were expended by

him: but such accounts of expenditures as were arrived should be laid before the House.

Sir Grey
Cooper.

Sir Grey Cooper said, the requisitions of the commander in chief were the vouchers for the warrants of the Treasury.

Mr. Corn-
wall.

Mr. Cornwall explained the nature of those accounts, and the method of passing them.

Col. Barré.

Colonel Barré said, in transactions of a private nature, he knew no gentleman to whose word or assurance he would sooner trust than the last honourable gentleman, but in affairs of public concern, in which he was not permitted to act in a discretionary manner, he could not accept of any thing but the most satisfactory proofs; the papers must therefore be produced, or flatly refused.

Mr. Rigby.

Mr. Rigby objected to that part of the motion, requiring accounts of the expenditure. He said, they could not always be had; that he had not heard from the deputy pay-master in his department for many months, and then he had a large sum in hand unexpended; and consequently of which no particular account could yet be laid before the House.

Mr. Corn-
wall.

On this ground, Mr. Cornwall rose again, and wished Colonel Barré to withdraw that part of the motion; but Mr. Hartley strenuously insisted on it, as the reason for having seconded the whole.

Col. Barré.

Colonel Barré again observed, that he insisted not so much on the requisitions of the commander in chief, but on the grounds of those requisitions, which might appear in his letters to the noble Lord at the head of the Treasury, or to another noble Lord, secretary of state for the colonies; that the minister and his friends seemed to evade this; there might be secrets, as Lord North had hinted, improper to lay before Parliament; may be, he said, with a smile, 100,000*l.* was gone among the members of the congress. At length his motion was agreed to.

Adjourned to March 11th.

March 11.

Lord Bar-
rington.

Lord Barrington moved, that a sum not exceeding 845,165*l.* 14*s.* 8½*d.* be granted towards defraying the extraordinary expenses of the land forces, and other services incurred, between the 9th of March 1775, and 31st of January 1776.

Col. Barré.

Colonel Barré said, the annals of this country did not furnish another instance in which a nominal body of 11,000 men (never amounting at any time within the period mentioned in the resolution to above 8500 effective men) had cost the nation so much money. The campaign of Bunker's-Hill
and

A. 1776.

D E B A T E S.

404 405

and Lexington was ludicrously compared with the campaigns of the immortal John Duke of Marlborough the forcing the lines thrown up by a mob in the cold summer's night, opposed to the victories of Blenheim, Malplaquet, the conquest of Gibraltar and Minorca, the traversing the vast circuit of the kingdom of Spain by Lord Peterborough, and the renowned impressions made by the Duke of Ormond at Vigo and Port St. Mary. Mystic river was compared to the Danube; and the operations of a war that pervaded half Europe, and in which a British army and foreigners in British pay, amounting to 70,000 men, had rendered the power and glory of the British arms immortal, was balanced against those carried on within a circuit of little more extent than what is taken up by the site of this metropolis. The expence of the former was shewn to amount to a sum not more than two millions, while the other, including the expences of the fleet, cost nearly three millions, the very extraordinaries and ordnance service alone amounting to 1,300,000*l*. He finished with an eulogium upon General Montgomery, the account of whose death in an attempt to take Quebec by escalade, had arrived but a few days before.

Mr. *Burke* drew several comparisons between the victories of Mr. Pitt and those of the noble lord, [Lord North] and contended, that the campaign which gave the great continent of North America to this country, though the force consisted of 40,000 men, fell considerably short of the expence of maintaining 8000 wretched men, starved, disgraced, and cooped up in the single town of Boston. He paid very high compliments to General Montgomery, who had conquered two-thirds of Canada in one campaign.

Mr. *Fox* vied with Mr. Burke in his eulogium of General Montgomery.

Lord *North* censured, what he called this unqualified liberality of the praises bestowed on General Montgomery, by the gentlemen in opposition, because they were bestowed upon a rebel; and said, he could not join in lamenting his death as a public loss. He admitted indeed, that he was brave, he was able, he was humane, he was generous; but still he was only a brave, able, humane, and generous rebel; and said, that the verse of the tragedy of Cato might be applied to him—"Curse on his virtues, they've undone his country."

Mr. *Fox* rose a second time, and said, the term of *rebel*, applied by the noble lord to that excellent person, was no cer-

tain mark of disgrace, and therefore he was the less earnest to clear him of the imputation; for that all the great assertors of liberty, the saviours of their country, the benefactors of mankind, in all ages, had been called *rebels*; that they even owed the constitution, which enabled them to sit in that house, to a *rebellion*.—*Sunt hic etiam sua premia laudi, sunt lachrymæ rerum et mentem mortalia tangunt.*

Ld. North. Lord *North* said, whatever uneasiness this dispute with America might occasion, whatever consequences it might have, he hoped it would be recollected, he had not raised, had not disturbed the question. It was in agitation before he came into office. He found it there.

Governor Johnstone. Governor *Johnstone* expressed his astonishment at this declaration, thus uttered in the face of his country! in the face of the house! Instanced the *Tea Duty*, and——

Ld. North. Lord *North* (suddenly) said, should he answer *that*!—— The tea duty was not laid on by him, he only carried it forward.

Governor Johnstone. Governor *Johnstone* to explain, said, it was very disorderly to interrupt him in that very abrupt manner. However, he thought the noble lord's explanation or vindication of himself, made the matter ten times worse against him.

The question being called for, the house divided; for it, 180, against it, 57.

March 12.

Sir Charles Whitworth. Sir *Charles Whitworth* reported the resolution of yesterday on the army extraordinaries.

Mr. Hartley. Mr. *Hartley* lamented the state of this oppressed and almost ruined country. He observed, it was not that the war was unjust, cruel, and unnatural; that the country was left naked and defenceless; that the expences were already enormous; that the fund which was appropriated for the purpose of reducing the public debts, as a security to our public creditors in case of deficiencies, and as a dernier resource in case of an attack from our natural enemies, was already anticipated for many years to come; these matters, however terrible in their appearance, or dreadful in their consequences, were already known or foreseen: but it was the confidence with which ministers asked, and the ready compliance of Parliament to every requisition, without either examining the nature of the services for which the money was given, or afterwards enquiring into the expenditure, that astonished him. Such, in a great measure, was the nature of the account of extraordinaries now before them. He said, he should not enter into a mi-

a minute examination of the several *items* which had swelled that very extraordinary account, but he would be obliged to the noble lord, [Lord North] if he would now rise and give the explanation he declined to give the other night in debate, though often pressed. He knew how little attention any thing he offered was entitled to from the noble lord and the gentlemen on that side the house. But how little soever he might deserve to be attended to on his own account, he hoped that some degree of attention was due to him on such an occasion, in the character of a representative giving away the money of his constituents. The matter he desired to have cleared up, was the requisition made by the commander in chief for a hundred thousand pounds, and the credit taken for that sum without being accompanied by a single voucher. (*See page 360.*) He observed, that there were vouchers for the rest, stating to whom the payments were made, but not one of the actual expenditure. Before he sat down, he begged the noble lord would explain to the house the nature of the transaction; at present it bore a very strange appearance. He observed, that there was a circumstance attending money matters now, that was, he believed, before never known or practised even by the noble lord; that was, ministers refused to venture at a gross computation, what the expence of the extraordinaries of the succeeding campaign would amount to. He had heard it dropped in debate, that they would rise this year to the monstrous sum of four millions. Terrible as these tidings were, he should be glad to know the worst; not to come day after day to that house, and hear some new demand made, under a fresh pretence and another denomination, though all directed to the same service. If, therefore, the minister, as he must by this time know what his plan was, and the probable expences of carrying it into execution, would rise, and fairly and ingenuously, state the gross computation, the house would then know what they had to expect, what they were to grant on one side, and what they were to get in return on the other, and of course be enabled to balance the certain expence against the probable or possible benefits promised to accrue from the measures now pursuing.

Lord North said, if the honourable gentleman alluded to any neglect shewn to the propositions which he had submitted to the house, he was himself conscious of not deserving any part of the imputation. He thought the honourable gentleman had acted a very commendable part, and presumed he was ac-
tuated

tuated by the purest motives ; it was fulfilling his duty, and in that light he always received and treated any proposition which came from him. His lordship observed, that the honourable gentleman gave a credit and appellation to the papers on the table which they did not deserve, for they were not vouchers. The vouchers were yet to come, and would contain a precise and actual account of the expenditure, and then the house would have a full opportunity to examine them. As to the 100,000*l.* drawn by the commander in chief, for which no account of any kind appeared, that could be easily explained, for it was so much in advance to remain in his hands, and for which he must be accountable till he shews the particular services for which it was issued. The usual manner of conducting this business, was for the commander in chief to draw on the deputy paymaster-general ; but it being found that it was much more advantageous to remit than draw, that mode was discontinued, and the present adopted in its stead, as it would be a considerable saving to the public. He said, the honourable gentleman was mistaken in asserting, that the permitting the commander in chief to draw was never known, for it was always the case in respect to extraordinaries. The very nature of the expence, and the manner it was incurred, made it necessary. It was uncertain ; a previous credit was necessary, and the amount could not be known, nor the balance struck, till the several articles were brought into account, accompanied by the proper vouchers ; that this had not been the case formerly in America, for as there were no extraordinaries till since the late war, by way of establishment, no previous credit of this kind consequently subsisted.

Mr. Hartley.

Mr. *Hartley* did not seem satisfied with this explanation, and recurred to his former observation, that it was a matter unprecedented in the annals of Parliament, to propose measures to them for their consideration, without even offering to guess at the expence. He said, he did not mean, by any thing that had fallen from him, to limit the commander in chief to any specific sum in the first instance, but only to have a faithful, accurate, and satisfactory account of the expenditure, to see that the money had been applied to the purposes for which it was granted.

Mr. Dempster.

Mr. *Dempster* spoke of the consequences arising from the contracts in general. He said, every country where such a system was permitted to prevail, must, in the end, be undone ; and he had little doubt that a very considerable part of

of the burthens we now labour under have been incurred through the means of jobs and contractors. He informed the house, that when he had the honour of being in the direction of a certain great company, the evil was felt, and he and some other gentlemen in the direction determined to provide some means of removing it. The court of directors at length agreed to advertise the contracts, and the consequence was, that they not only made a very considerable saving, but the articles were much better than were furnished in this way than before the contracts were laid open. He recommended this, or some other similar plan to the minister, and assured him that very singular advantages would accrue thereby to the public, as the articles would be both cheaper, and of superior quality. He concluded with observing, that jobbers and contractors were at once the disgrace and curse of this country, a well-authenticated instance of which happened during the late war, of a person whose contract amounted only to 1,300,000*l.* but whose net profits were full 800,000*l.*

Sir *Joseph Mawbey* bestowed almost every opprobrious epithet in the English language on the American war. He said it was cruel, unjust, villanous, and that he trusted God and man would unite in reprobating it. He was no less severe on its advisers and conductors. He observed, that the noble lord who lately presided in the department to which American affairs more peculiarly belonged, was too honest and conscientious to persist in so bloody and inhuman a business. He abhorred the thought of embruing his hands in the blood of his innocent unoffending fellow-subjects, and resigned his office sooner than co-operate in so flagitious a work. It is true, he was succeeded by a noble lord now sitting opposite, [Lord G. Germain] who, he presumed, imagined he was acting right, but whose schemes of unconditional submission, he hoped he would never be able to effect. He observed, that the majorities who daily sanctioned the present measures would sorely repent of it; and he recommended to the country gentlemen to seriously reflect on the consequences, when the additional shilling on the land would not half defray the account of extraordinaries, which was at present the subject of consideration. If then such an enormous expence was incurred for the maintenance of 6000 men confined in Boston, would any person rise and say, that the whole of six shillings in the pound, instead of four, would defray even the extraordinaries of the army that was to be employed in the course of

Sir *Joseph Mawbey.*

the ensuing campaign? It was plain it could not, for it was already confessed, that the extraordinaries would amount to four millions, and a land-tax of six shillings in the pound would be considerably short of three, perhaps not quite two and a half, after allowing for the deficiencies. Where then are the supplies to come from? You cannot devise a tax that will not cause a defalcation in some other. The excise and customs will not produce a single shilling more; and if they should, your trade, manufactures, and commerce, will be ruined, if you attempt to lay on any new duties. He then addressed himself to Lord Howe and General Burgoyne, and after giving testimony to their personal worth, expressed his astonishment that such men would be concerned in so infamous and diabolical a business; and owned, that however he might esteem them as men, he wished that they might not succeed; but that the cause of justice, humanity, freedom, and the constitution, might prevail. He said, administration might pride themselves in their great majorities; but he trusted the day was not far off, when they would be brought to a just and severe account for the ruin and destruction in which they were wantonly involving their country, in order to accomplish a detestable plan of despotism.

Gov. Johnstone.

Governor *Johnstone* was very severe on contracts and contractors, particularly in relation to two articles in the account paid to Mr. A. Bacon, for the hire of Negroes in the ceded islands. This, he said, was a most shameful squandering of public money. He observed, likewise, on an article of 4000*l.* drawn by the superintendant of Indian affairs, upon the receiver-general of Canada.

Sir Grey Cooper.

Sir *Grey Cooper* said, this was the usual mode. The only difference it made, was, that instead of drawing on the treasury, where the account was audited, and sent back with an order on the receiver-general; in the present instance, the money was drawn immediately from the receiver-general, but the superintendant's account still open to inspection; and he remained still subject to be made accountable for the expenditure of any sums thus obtained.

Ld. North.

Lord *North* answered Governor *Johnstone*, respecting the Negro contract. He said, this expence was incurred mostly in the ceded islands, and was near expiring, as the purposes for which the Negroes were employed, that of clearing the Crown lands, and opening communications from one part of the islands to the other, were nearly completed; consequently

quently there would be no further occasion for them, and this expence would cease.

Mr. *Pownall* (secretary to the board of trade) gave a further explanation relative to the expence of the superintendent of Indian affairs. He said, that presents were made to several Indian tribes, to the six nations, and other western Indians; that the articles of which those presents consisted, were usually purchased here; that he was the person who formerly provided them, but on account of the present situation of affairs in America, it was thought more convenient to have them provided on the spot; and that was the true cause of that article making its appearance in the account. The presents commonly consisted of glass beads, cutlery, &c.

Mr. *Vyner* replied to the address made to the country gentlemen, and said, as being included in that number, he was much obliged to the honourable gentleman [Sir Joseph Mawbey] for his advice; but for his own part, though the land-tax next year should be six shillings in the pound, or double, that he was willing to contribute his share, as on a former occasion; for if the supremacy of this country was to be preserved fully in its constitutional extent, no means proper to effect it, ought to be neglected or left untried. As to the question, what did those gentlemen expect in return? He, for one, fairly and openly declared, that he expected America would be taxed for the purpose of raising a revenue, both to defray the expences of a war this country was wantonly forced into in the assertion of her own rights, and towards relieving us of the burdens incurred by protecting the colonies during the late war. He insisted besides, that the legislative power of this country, independent of the reasons now stated, could never be maintained, if the exercise of it was not to be coupled with a tax submitted to by America, as the clearest acknowledgment of the general controlling and governmental power of Great-Britain. Before he sat down, he begged leave to be understood, that his complaisance and unlimited confidence, however willing he might be to grant money for the purpose of carrying on the war, did not extend so far as the honourable gentleman who spoke first in this debate [Mr. Hartley] for he would never consent to give a commander in chief, or any other officer, an unlimited right to draw or make requisitions; for though he was willing to contribute largely, he still reserved to himself the power of judging and controlling the expenditure and application of the money thus granted.

Mr. *Tuffnell*.

Mr. *Tuffnell* spoke of several articles in the account: so much for four crout; so much for small beer; and several thousand pounds for pepper and vinegar alone. Such a waste of public money was to the last degree shameful; and it was no way wonderful that the minister should have the great majorities he had, when he had it in his power, by so many different means, to influence the representatives of the people. He then took a view of the intended operations, and shewed, that nothing decisive could possibly be effected in the course of the ensuing campaign, as the troops would not arrive at their respective places of destination till at the end of two, four, and perhaps six months. That posts must be secured, and communications opened; and that consequently the expence of the present year would be lost, or at least only lay a foundation for the operations of the succeeding. Then, taking the matter purely on the ground laid down by the promoters of the present measures, it would amount to this; that after the expence of this campaign, which was already allowed to be ten, though he had strong reason to believe it would be fifteen millions, we should commence operations in the year 1777 effectually; and supposing the success predicted should be the case, and that no one possible event should happen either from without or within, to interrupt our designs, that America should be reduced to the unconditional submission contended for by the noble Lord over the way, lately come into office [Lord G. Germain] the consequence would be, that we should incur a debt of between thirty and forty millions, a sum he prophesied, much more than ever we should be able to reimburse ourselves, by all the taxes we could ever expect to draw from that country. He doubted much therefore, whether the honourable gentleman's [Mr. Vyner] thirteen shillings, or more, in the pound, would be sufficient to bear the expence of such an undertaking; or if he would ever see a single shilling of the money he was now so ready to grant for the purpose of coercing America, return in any form whatever.

Ld. *Irnham*.

Lord *Irnham* said, it was really shameful that gentlemen, members of that House, should have the contracts that now appeared. He alluded in particular to that of the negroes, and the four crout. He wished sincerely, that the account was printed, [*the reader will find it in page 360*] that the nation might see how they were plundered and fleeced, in order to gratify and enrich a set of mercenary and rapacious contractors, who were raising immense fortunes, drawn from the very
vitals

vitals of the people; and that he was not surprised to hear a certain set of men, the preceding evening, express themselves so warm for coercive measures, and so eager to grant away the public money. He did not know by what appellation to describe them. They were not country gentlemen, nor placemen, nor pensioners, nor king's friends; but they were worse than all: they were at present the disgrace, and would in the end occasion the total ruin of this country.

Mr. *Burke* said a few words respecting the caution expressed by an honourable gentleman, who professed himself a country gentleman; and said he was surprised to hear him adopt the very language used by the people of America; that is, we will grant you aids or supplies, but we will reserve to ourselves a controul over the expenditure, and be the judges of the *quantum* to be granted, and the mode of application. He believed, therefore, the gentleman was very snug and secure in his offer of a thirteen shillings in the pound land-tax, on this condition; for it amounted to just nothing, while he reserved to himself the power of refusing it whenever he thought proper. He said, as by the curious *items* in the account, he imagined the army in Boston had a sufficient supply of broccoloes, cabbages, four-croust, and a few asparagus, there was no occasion for keeping open a begging subscription for the purpose of procuring those necessaries, when the nation had already made such ample provision. On this ground he should submit two resolutions to the consideration of the House, which would, he presumed, put this matter in a clear light. They were,

“That it appears to this House, that the extraordinary expences amounting to 845,165l. 14s. 8½d. have been incurred, for the far greater part, for services within the town of Boston.

“That it appears to this House, that ample provision has been made by the public for the accommodation and comfort of the troops in Boston, which made the levying any further money, or begging any from the subject, on that pretence, unnecessary.” They both passed in the negative, without a division.

March 13.

No debate.

March 14.

Order of the day, to go into a committee on the Scotch militia bill.

Mr. *Grenville*. He said that not having had an opportunity of delivering his sentiments on this bill, he would take this

stage, and move an instruction which would at least obviate one of the many objections he had to it. That he could not help thinking it incumbent on its supporters to evince the three subsequent propositions; First, That the present situation of the kingdom required an extraordinary force of 6000 men, (the number to be raised,) Secondly, That this method to be adopted is the cheapest; and Thirdly, That Scotland is the place, where, from local circumstances, these troops should be raised: that as he could not agree to either of those three propositions, he should certainly combat every stage of the bill; and proceeded to shew the inexpediency of it on those three grounds. He concluded by stating the expence of the proposed corps; the estimate of which for twenty-eight days he stated to be 34,970*l.* and if embodied, the pay for thirteen months would be 104,440*l.* to be paid, from a land-tax producing at 4*s.* in the pound, 47,954*l.* 1*s.* 2*d.* In answer to some assertions relative to the revenue of Scotland, he begged leave to produce some original papers, by which he stated the gross revenue of that kingdom to be so reduced by mismanagement of every kind, as to produce on the average of ten years, the very inconsiderable sum of 94,945*l.* clear of the barons warrants, drawbacks, and charges of management, of which sum the land paid 47,954*l.* the malt 19,280*l.* the customs and excise 13,555*l.* the stamps, seizures, crown-rents and other articles 14,156*l.* He next stated the demands even on this trifling sum, before it could be remitted to the Exchequer, for the roads, fortifications, ordnance, staff and military establishment, all which were expences immediately incurred for that kingdom. He assured the House, that so far from undervaluing the Scotch revenue, he had in many instances even over-charged it, by taking it at the period at which it was the highest, and stating the land-tax, (which was the principal article) at 4*s.* in the pound. He concluded by calling on the justice, the honour, and the generosity of that kingdom, to consent to a proposition which would not draw one shilling from their country, and which (if the bill were to pass) would make the measure less obnoxious, and less invidious to England. He moved, That it be an instruction to the committee, that they do make provision in the said bill, for directing and enabling the commissioners to be named under the said bill, to raise and levy, on their respective counties or places, such sums as shall be sufficient to defray the expences of the militia to be raised within the same, such scots or levy to be made in the same manner, and in the same proportion,

portion, as the land-tax has usually been levied in such county or place.

Right honourable *T. Townshend* seconded the motion. He ^{Rt. Hon.} said, the words of the motion contained almost every thing ^{*T. Townshend.*} necessary to convince every person who had considered the subject. If Scotland is to be put on a footing with England, in respect of constitutional defence, why not take the institution with all its consequences of pay, as well as establishment? The English surely would deserve to be both pitied and condemned, should they be such dupes to consent to so monstrous and unreasonable a proposition.

Sir Adam Fergusson insisted, that Scotland had as good a ^{*Sir Adam Fergusson.*} right to have her militia paid out of the taxes, as England. That she pays in proportion to all the burdens with this part of the island in every one particular but the land-tax. That the duties, customs, and excises collected within Scotland, do not exhibit a true state of what that country really contributes. That great quantities of goods are taken by Scotland, and the duties paid by it, though they are collected here; the Scotch being the consumers. He instanced the articles particularly which are imported into this metropolis from the East-Indies; besides several other commodities, such as groceries, cottons, &c. On these accounts, as well as that a very considerable share of the whole landed property of that country was spent in this, he was astonished how any man could seriously propose to tax them locally, for the purpose of paying their own militia, when they had for so many years contributed towards the payment of the militia in this part of the kingdom, though partially deprived of such an establishment themselves.

Right hon. *Sir Gilbert Elliot* expressed his astonishment that ^{*Sir Gilbert Elliot.*} gentlemen should think of making their militia a provincial affair; it was not intended as a partial benefit to a particular part of this island, but as a plan of general utility, and a means of security to the nation at large. He agreed to the honourable gentleman's [*Mr. Grenville*] account of the Scotch revenue; but contended, that great sums were spent in England by Scotch gentlemen, whom he would call resident absentees, and by persons who resorted to London for amusement or on business. He observed, that great stress had been laid on the circumstance that Scotland did not contribute proportionably to the land-tax with England; for his part he had no objection to the removing that impediment, nor did he doubt, if an equal land-tax took place throughout every part of the united kingdom, that Scotland, instead of being

being a loser by such a regulation, would be a very considerable gainer.

Mr. Townshend.

Mr. *Townshend* replied, that the arguments of the right honourable gentleman, proved too much, or proved nothing; they proved that Ireland and America were taxed, because they purchased certain commodities in this country, nay, that every foreign nation in Europe, contributed to our burdens, because they are the consumers of some of our manufactures. In point of absentees and residents, the same argument held good; for he knew no part of the dominions of the British crown from which there were not persons constantly residing in London and other parts of England. He went further; he contended, that he did not know a county in England that might not urge the same plea with equal weight and plausibility. We pay duties, for we are the consumers. Our gentlemen of landed property are absent for nearly six months in the year; the produce of their estates is spent in Middlesex, therefore as we do not pay any thing like a proportionable share of the land-tax, give us a militia, but do not oblige us to contribute to its support. He then spoke to the propriety of the measure, independent of its equity. He insisted, that the militia would be better exercised, better disciplined, and in every respect more properly regulated, by making the tax local, as it would be a controul on the spot, and would thereby prevent those abuses which pass by unnoticed, when the support was to be drawn out of a general fund, in which no body of men could claim a distinct property. He spoke of the Highland independent companies, and observed what little service they were of, for at one time, when general Wade received them, they were found to be deficient at least one half, on which he reprimanded Lord Lovat, and complained to his lordship by message, how very incomplete his corps in particular happened to be; to which Lovat replied, That signifies very little, I can have 1200 men to turn out upon any service, whenever I please.

Lord North.

Lord *North* against the motion. He said he never entertained an idea that a local tax would be proposed instead of a national one. He was of opinion that the proposed national establishment would be an additional safeguard and security to the united kingdom, and as such should be taken up and supported on the most liberal ground, and would answer every beneficial and salutary purpose of the English militia.

Mr. Vyners.

Mr. *Vyners* said, he was much puzzled before he came down, how to conduct himself, or whether to vote for or against the

the bill, and confessed his obligations to the honourable gentleman who framed the motion, for steering clear of the objection, which presented itself on either hand, that of rejecting the bill entirely, or agreeing to it upon terms that no man in his senses could possibly submit to or accept.

Sir Walter Blacket and Mr. Tuffnel spoke likewise in support of the motion.

The House divided; for the motion 54, against it 57.

The House went into the committee on the bill, and a clause being offered, that the eldest son of a peer should be qualified to serve as an officer, without what is in other instances deemed a legal qualification, this produced a debate, and the committee divided, ayes 41, noes 38. The main argument urged in favour of the clause was, that if it should be rejected, it would at once decide the fate of the bill, for it would be the occasion of throwing it out in the House of Lords. The committee adjourned till to-morrow.

March 15.

Committee on the Scotch militia bill. Some of the clauses produced a debate, particularly respecting the number of men, the clause relating to substitutes, and in relation to qualifications. At length it was agreed to let the bill go through the committee, to report it immediately, and to take it into consideration on the 20th, previous to any motion for ordering it to be engrossed, and read a third time.

The bill for better supplying marines, to serve on board his Majesty's ships of war, and for the more speedy supply of seamen to serve on board trading vessels, was read a second time, and committed.

Adjourned to March 18.

March 18.

Mr. *D. Hartley* pressed the necessity of laying before the House the real expence of the navy. He said, the accounts produced by way of estimate, seldom contained above two thirds of the expence: that under the title of the navy debt, and services not provided for, and of navy extraordinaries, a custom had been by degrees introduced, which gave ministers an absolute and unlimited possession and command over the public purse. The present was a season, he insisted, when Parliament ought to take double care that this ministerial licence was not abused, as immense sums might be expended in this way, entirely unknown, and without the participation of the House. He was aware how inefficacious any application of this kind would prove, if the noble lord

on the opposite (the treasury) bench should think proper to set his face against it. He therefore exhorted his lordship to bring forward an account of the expenditure of last year, for he assured him that it was a matter his lordship's honour, and the credit of his administration, were equally concerned in. He said, that the transport service must have amounted to a very considerable sum, in the course of the last year, that no account of that particular service had yet been produced, that he intended to move for that, and an account of the navy debt; but he was convinced what little purpose it would answer to frame any motion, should the noble Lord as usual seem averse to it.

Ld. North.

Lord North said, it was not the wish of administration to conceal any thing from the House, nor was it in their power, were they desirous of so doing. As to incurring expences, the exact amount of which could not be ascertained at the time; it was the constant usage of office at all times, and was not peculiar to the present administration. It arose from the nature of the service: for how was it possible to state what the extraordinaries in any given year would amount to, till they were first known? They might be more, they might be less; and as to the power vested in administration, he could see no possible abuse that could be made of it. It was impossible that the money expended could be known to Parliament at the very time it was issuing, nor the exact amount of the debt incurred, but still the House retained the efficient controul; for if the debt was improperly incurred in the first instance, or if there appeared any abuse or malversation when the accounts came to be inspected, those who had abused the trust necessarily reposed in them, were liable to be severely punished, and to suffer under the displeasure of that House. His lordship added, that for his part he had no objection to give the honourable gentleman every information he desired; but he believed that several of the accounts were not yet closed or complete; such as were, he was very ready to comply with the honourable gentleman's requisition.

Mr. Hartley.

Mr. Hartley then moved, that an account of navy, victualling, and transport bills, that were made out on or before the 29th of February, 1776, be laid before this House. And that an account of the increase of the debt of the navy, between the 31st of December, 1774, and the 31st of December, 1775, be laid before this House; together with the specification of the respective services for which said debt was incurred, as far as the same can be made up.

A. 1776.

An Account of the Navy, Victualling, and Transport Bills, which were made out on or before the 29th February, 1776, and which yet remain unpaid, distinguishing the Sums made out in each Month.

In what Months made out.	NAVY BILLS.						VICTUALLING BILLS.						General Total.		D E B A T E S.
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
1774 January,	43,379	0	9	3,905	17	11	47,284	18	8	26,614	11	1	73,899	9	9
February,	45,572	4	3	1,466	3	3	47,038	7	6	16,713	18	5	63,752	5	11
March,	52,221	15	9	5,186	11	5	57,408	7	2	25,148	16	9	82,557	3	11
April,	36,164	2	7	933	17	0	37,097	19	7	16,910	7	0	54,008	6	7
May,	45,782	11	9	1,475	16	3	47,258	8	0	20,837	13	2	68,096	1	2
June,	53,226	6	8	0	0	0	53,226	6	8	26,950	12	7	80,176	19	3
July,	42,420	18	0	3,306	11	4	45,727	9	4	18,072	16	9	63,800	6	1
August,	43,482	13	5	0	0	0	43,482	13	5	11,753	5	8	55,235	19	1
September,	56,808	7	7	4,021	4	0	60,829	11	7	11,656	8	11	72,486	0	6
October,	61,511	1	3	0	0	0	61,511	1	3	13,170	0	8	74,681	1	11
November,	76,819	0	2	0	0	0	76,819	0	2	34,256	5	4	111,075	5	6
December,	43,144	3	4	0	0	0	43,144	3	4	27,233	13	9	70,377	17	1
1775 January,	29,007	11	5	4,021	4	0	33,028	15	5	25,393	18	7	58,422	14	0
February,	22,794	13	6	9,185	8	0	31,980	1	6	23,277	16	10	55,257	18	4
March,	45,124	1	10	7,778	17	11	52,902	19	9	49,760	14	4	102,663	14	1
April,	34,053	17	5	2,675	19	5	36,729	16	10	26,724	5	7	63,454	25	
May,	46,502	11	10	4,021	4	0	50,523	15	10	17,175	14	9	67,699	10	7
June,	29,234	18	6	0	0	0	29,234	18	6	26,917	14	11	56,152	13	5
															July,

	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
1775 July,	39,520	7	8	0	0	0	39,520	7	8	42,576	6	1
August,	54,314	13	0	9,095	0	0	63,409	13	0	47,061	10	0
September,	82,919	16	8	20,275	17	3	103,195	13	11	34,315	18	0
October,	76,716	0	11	8,203	10	0	84,919	10	11	42,192	13	10
November,	63,746	6	5	7,038	14	0	70,785	0	5	54,004	2	5
December,	67,186	3	0	13,613	13	5	80,799	16	5	75,341	2	1
1776 January,	57,608	11	5	18,826	18	9	76,435	10	2	74,255	2	2
February,	38,676	16	9	14,690	10	0	53,367	6	9	92,368	18	0
	£1,287,938	15	10	£139,722	17	11	£1,427,661	13	9	£880,684	7	8
										£2,308,346	1	5

N. B. The commissioners of the victualling have, at foot of the account of the victualling bills, made the following memorandum, viz.---It is not practicable to distinguish what part of the bills in this account particularly relates to the expence of victualling land-forces, as the provisions are always purchased for the victualling service in general, and such part thereof as the service requires to be supplied to land-forces is taken out of the general stock, as demands arise, but at the end of every year an account is made up of the expence of victualling land-forces, and by those accounts, which have already been delivered to Parliament, it appears, that in the year 1774 the expences of victualling land-forces amounted to 14,926l. 3s. 3½d. and in the year 1775 to 96,291l. 5s. 5¾d. and with regard to the expence of victualling land-forces in the months of January and February 1776, the same cannot be at present ascertained, but the account thereof is preparing, and will be completed with the utmost dispatch.

The whole amount to the sum of 2,308,346l. 1s. 5d.

M. Suckling.

J. Williams.

T. Brett.

W. Palmer.

A. 1776.

D E B A T E S.

419

Navy-office, 6th March, 1776.

An estimate of the debt of his Majesty's navy, on the heads hereafter mentioned, as it stood on the 31st December, 1775.

HEADS OF THE NAVAL ESTIMATES.

Wear and tear, ordinary, extra, repairs, and transports.

	PARTICULARS.			TOTAL.	
	£.	s. d.	7.	s. d.	
Due to pay off and discharge all the bills registered on the course of the navy for stores, freight of transports, &c. supplied for the service thereof - - - - -	1381701	19	5		
Due to pay off and discharge bills registered on the said course for premium allowed by act of parliament on naval stores - - -	89818	15	7		
Due for freight of transports and tenders, and for stores delivered into his Majesty's several yards, &c. for which no bills were made out on the aforesaid 31st December, 1775, as also to several bills of exchange -	151039	4	6		
Due to his Majesty's several yards and rope-yards, for the ordinary and extraordinary - - - - -	77907	15	1		
Due for half-pay to sea-officers, according to an establishment made by his late Majesty in council, on that behalf - - - - -	72148	1	8		
				1772615	16 3

Seamen's wages.

Due to pay men, &c. unpaid on the books of ships paid off - - -	119907	11	7½		
Due to pay ships in sea pay on the aforesaid 31st December, 1775 -	352604	16	2		
Due to discharge and pay off all the bills entered in course for stop cloaths, bedding for seamen, surgeons, necessaries, free-gifts, &c. -	58842	10	6		
				531354	18 3½

Vittualling debt, as per estimate.

Received from those commissioners, viz.

Due for short allowance to the companies of his Majesty's ships in pay, and which have been paid off	17650	14	6		
--	-------	----	---	--	--

.Due

£. s. d.

£. s. d.

Due for paying off all the bills entered on their course - - -

795439 5 4

Due for provisions delivered, and services performed, for which no bills were made out on the aforesaid 31st December, 1775 - - -

18557 11 2

Due for necessary money, extra necessary money, bills of exchange, and contingencies - - -

3280 15 7

Due to the officers, workmen, and labourers, employed at the several ports - - -

9445 19 4

844374 5 11

Sick and hurt, the debt of that office, as per estimate, received from those commissioners, viz.

Due for the quarters, and cure of sick and hurt seamen, set on shore from his Majesty's ships, at the several ports, and for contingencies relating to the said office -

15336 1 2

The total amounts to the sum of - - -

3163681 1 7½

From whence, deducting the money in the treasurer's hands -

147274 14 6½

And also the money that remained to come in of supplies, as in p. 421.

317827 7 0¼

465102 1 6¼

2698579 0 0¼

The debt will then be 2698579l.

N. B. In this debt is included for charge of transports, between 1st January, 1775, and 31st December following - - -

148670 8 3

And it appears by an account received from the commissioners of the victualling, that the expence of victuals supplied the soldiers, between 1st Jan. 1775, and the 31st December following, amounts to

96291 5 5¼

244961 13 8¼

For which sum of 244961l. 13s. 8¼d. no provision has been made by parliament, but if thought fit to be

granted

A. 1776.

D E B A T E S.

421

granted, as the like service was provided for in former years - - -

The net debt of the navy will then be - - - - -

M. Suckling.

J. Williams.

T. Brett.

£. s. d.

2453617 6 4

W. Palmer.

Memorandum, There was remaining in the hands of the late and present treasurers of the navy, on the 31st December, 1775, in money, as undermentioned, and may be reckoned towards satisfying the aforesaid debt of the navy.

It what treasurers hands.	In money.	On the heads of			Total.		
		Wear and tear, ordinary and transports.	and Seamenswages.	Victuals.	£. s. d.		
Rt. hon. George Grenville, esq.	In money	7645 2 7½	2247 3 1	2379 19 11	12404 5 6		
	Ditto towards the debt for sick and hurt seamen.		131 19 10½				
Rt. hon. Wm. lord viscount Barrington.	In money	7051 19 5¼	3720 3 11½	1640 7 7½	12448 1 10½		
	Ditto towards the debt for sick and hurt seamen.		35 10 10¼				
Rt. hon. Rd. lord viscount Howe.	In money	15623 9 6½	14533 12 2¼	2739 12 4¾	32916 6 8¼		
	Ditto towards the debt for sick and hurt seamen.		19 12 6½				
Rt. hon. Sir Gilbert Elliot, bart.	In money	20812 14 9¼	61110 14 9¾	5916 5 1½	89506 0 5¾		
	Ditto towards the debt for sick and hurt seamen.		1666 5 9¼				
		51133 6 4½	83465 3 1¼	12676 5 0¾	147274 14 6½		

There remained on the 31st December, 1775, to come in from the exchequer of the supplies of the year 1775 - - - - -

317827 7 0¼

Navy-office, 20th March, 1776.

An account, shewing the increase of the debt of his Majesty's navy on the 31st of December, 1775, with the reasons for the said increase prepared.

Debt of the navy, on the 31st December, 1775 2698579 0 0¾
Debt of the navy, on the 31st December, 1774 1886100 8 3

Shews the debt of the navy, on the 31st December, 1775, to be increased - - - - - 812478 11 9¾

Reasons for the said increase, on account of the navy.

To be accounted for by the

Interest incurred on navy

Navy.

Victualling.

bills - - -

£.37360 13 1

£.453282 2 8¼

£.359196 9 1

Pre-

Premium on the importation of naval stores - - - - -	44866	15	0
Head money for privateers taken in the last war - - - - -	680	0	0
Sundry expences on account of the longitude - - - - -	2795	9	10
Charge of transports - - - - -	148670	8	3
Charge of raising volunteer seamen on shore - - - - -	5107	7	4
For 1846 seamen and marines, borne more than voted for wear and tear, and wages - - - - -	68394	0	0
For building ships by contractors in merchant's yards - - - - -	22096	12	2
Bills of exchange drawn by vice admiral Graves, at Boston, for the purchase of vessels to be employed in North America - - - - -	4005	0	0
Specie sent out to the naval officer at Boston and Halifax, the latter end of last year, to save the great discount that has lately been given on bills drawn at those places - - - - -	15000	0	0
For the value of hemp, foreign oak plank, American masts, and English oak timber, contracted for in 1774, which should have made part of the expence of that year, but not being delivered until 1775, the whole of the supplies for naval services for 1774 (exclusive of the extraordinary expences not provided for by parliament) was not expended to the amount of - - - - -	40297	0	0
For the value of fundry naval stores, such as tar, turpentine, oil, tallow, sheathing board, hammacoes, lead, canvas, and iron, purchased in part to increase the magazine in such of the articles, as were of American growth, and under the present circumstances of that country might not be procured from thence, and others purchased in addition to what			

£. s. d. £. s. d.

had been estimated to be necessary at the beginning of the year, on account of the fitting out the great number of ships lately commissioned	47766	0	0		
To pay Sir John St. Aubyn for rent and fine of certain premises at Plymouth, which had been running in arrear from the year 1765, on account of the instruments relative thereto not being executed till the year 1775	1181	0	0		
Levy money for an augmentation of 31 men per company to the marines, and money advanced on the recruiting service for the marines in Ireland	10510	0	0		
For considerable repairs done to the royal hospitals at Plymouth and Jamaica, &c.	2956	12	10		
				452686	18 6

On Account of the Victualling, as received from those Commissioners, viz.

	£.	s.	d.	£.	s.	d.
Expence of victualling land forces	96291	5	5 ³ / ₄			
Extra freights and demurrage	566	17	6			
Interest paid and incurred on bills	13148	15	2			
Additional allowance of vinegar	1828	16	6			
A new wharf building at Portsmouth	1000	0	0			
Vegetables purchased and making four grout, sent for the service of his Majesty's ships employed in North-America	1652	5	7			
Bills of Exchange drawn from the East-Indies for the service of his Majesty's ships there in the preceding year, which have been paid in the present year	23355	14	3			
Bills made out to pursers on the balance of their victualling accounts numbered in this year, for accounts which terminated in former years, and not included in any former debt, in regard it could not						

	£.	s.	d.	£.	s.	d.
be known until their accounts were made up, whether they were debtor or creditor - -	7143	1	3			
Bills made out for provisions delivered and services performed on or before the 31st of December 1774, received and numbered since, and were not included in the estimate of the debt for that time, the accounts of which not coming to hand till the year 1775 - -	14885	15	10			
Amount of provisions, &c. shipped to supply his Majesty's ships at Boston - -	55514	1	9			
Amount of ditto, shipped to supply his Majesty's ships in the Mediterranean - -	1217	8	1 $\frac{1}{4}$			
Amount of ditto, shipped to supply his Majesty's ships in the East-Indies - -	1265	13	4 $\frac{3}{4}$			
Amount of ditto, shipped for supply of his Majesty's ships at the Out Ports - -	19563	10	2 $\frac{1}{2}$			
Value of the remains in store on the 31st of December 1775, exceed the remains of the preceding year	27271	11	2.			
There were a greater number of his Majesty's ships in commission on the 31st of December 1775, than on the 31st of December 1774, and consequently, remains of the provisions on board on the 31st of December 1775, must greatly exceed the remains of the preceding year; which with the high prices paid for provisions for the use of his Majesty's ships in foreign parts together with the waste and decay of provisions, may be presumed to be reasons for the remaining sum of - -	91524	9	10 $\frac{1}{4}$			
<i>M. Suckling,</i>	<i>J. Williams,</i>	<i>T. Brett,</i>	<i>W. Palmer.</i>	356229	6	1
				Navy.		

Navy-Office, 21st of March, 1776.

An Account of the number of Seamen and Mariners employed in the Service of the Royal Navy from the 1st of January 1775, to the 29th of February 1776, upon a medium of each month, distinguishing the Seamen from the Marines, and what number of each were borne and mustered in the Service prepared, pursuant to a precept of the honourable House of Commons, dated the 13th instant.

	Months.	Seamen.		Marines.	
		Borne.	Muste'r'd.	Borne.	Muste'r'd.
1775	January	- 14868	14707	4099	2233
	February	- 15069	14842	4032	2059
	March	- 15010	14768	4132	2139
	April	- 15257	15079	4169	2088
	May	- 14874	14628	4111	1912
	June	- 13728	13630	4123	1915
	July	- 14406	14283	4497	1966
	August	- 15091	14949	4664	2071
	September	- 15380	15224	5035	2298
	October	- 15723	15571	5196	2466
	November	- 16257	16109	5513	2509
	December	- 17100	16956	5832	2787
1776	January	- 17894	17672	- - -	- - -
	February	- 18413	18162	- - -	- - -
		219070	216580	55403	26443

Upon a medium to the
end of February

15647

15470

- - -

- - -

Ditto, to December last

- - - -

- - - -

4616

2203

The medium of the seamen is taken for the whole time, but that of the marines is taken only to the 31st of December last, no account of the shore musters having been yet received from the ports for the months of January and February.

M. Suckling.

J. Williams.

T. Brett.

R. Temple.

March 19.

Hindon incapacitating bill.

March 20.

Order of the day, to take into consideration the report of the Scotch militia bill.

Right hon. *T. Townshend* moved to put it off to this day Right Hon. four months. He said, it was to the last degree unreasonable *T. Townshend.* to expect that England should bear the expence of a land-tax in so monstrous a disproportion, and it was an attempt of

the first impression to add to this inequitable mode of raising that tax, the burden of paying their militia. If Scotland wants a militia, in God's name let her have it, but let her pay for it. If she shuns the expence, either by way of a county rate, or contributing proportionably with this part of the united kingdom, to the very tax which is particularly appropriated to defraying the charge of the militia, what is that but in other words telling us, we want such an establishment, but we have the modesty to expect that you will agree to be at the expence?

Mr. Powys. Mr. *Powys* seconded the motion, and observed, that North Britain does not pay above the one-fortieth part of the land-tax, though the value of the lands is about one-sixth. The present bill, he observed, kept the last proportion in view, but made no provision for the maintenance and support of the militia, thus to be raised and embodied. Therefore, in his opinion, Scotland should have the option of contributing her full share to the land-tax, and to have a militia according to that proportion, or of paying the militia by a local tax. If she refused to consent to either of those propositions, he trusted there was not one Englishman in that House, who could so far forget the duty he owed to his constituents, or the interests and honour of his country, as to vote for the bill; or if any such could be found, he trusted he would find himself in a minority.

*Ld. Mount-
stuart.*

Lord *Mountstuart*, who brought in the bill, supported it. He said, a national militia was the great constitutional bulwark of this kingdom, and why exclude any part of the united kingdom from contributing to the general security? He observed, that the people of England were trained to the use of arms, while Scotland was left weak and defenceless; that the land-tax was no fair criterion of what Scotland really contributed towards the common support, for her consumption of commodities, which paid duties here, was very considerable, and one half of the produce of the lands of that country, he believed, was expended in this. As a proof of the weakness of government there, he said a smuggling cutter with a few guns and twenty men, had last year come into the Firth of Forth, and landed her cargo in the middle of the day; that the excise officers applied for a serjeant and twelve men, but none were to be had, but such as were at so great a distance, that the smugglers had time to dispose of their cargo, and to retire unmolested, before the detachment arrived.

Sir *Philip Jennings Clerke* against the bill; said he could not imagine, however confident of their great power and influence the Scotch nation might be, how they could possibly expect, that besides paying their land-tax for them, we should likewise be at the expence of paying their militia. Sir P. J. Clerke.

Mr. *W. H. Hartley* declared his disapprobation of the bill. He insisted, the whole matter lay within a narrow compass. Is Scotland willing to support her own militia by a local tax, or by contributing proportionably to the land-tax; or is she not? If she be, I see no reason why she should be debarred that privilege. If she be not, I take it, she is not really in earnest, or she thinks that England is as forgetful of her own honour as she is blind to her interests, by even listening to such a proposition. Mr. W. H. Hartley.

Mr. *Turner* replied to some of the arguments used by lord Mountstuart, particularly as a militia might prevent smuggling; said he lived near the sea, and had always observed that the militia were the greatest smugglers in the whole country, except another description of men the noble lord mentioned, the custom-house officers, and such as they secretly permitted, who were sharers in the profits. Mr. Turner.

Mr. *Stanhope* against the bill; he condemned it throughout. He spoke of the expence, and the poverty of the nation, of the complexion of the bill, and the unconstitutional power it would put into the King's hands, of disarming the militia at his pleasure, perhaps when their aid was most wanted. Is it possible that the noble Lord on the treasury-bench can come into this House, and give a bill his countenance and support, by which such an expence is to be incurred, and at the same time assure his Majesty that we could not pay a civil list debt of 500,000l? Or does his Lordship think that the clause where the three guineas per man may be given, will recruit the army, and save the trouble and expence of sending a body of foreign mercenaries to America, to cut the throats of our fellow-subjects in that country? He then enumerated several of the expences incurred last year, and predicted that we must either lay on new taxes, or submit to pay a premium of 50 per cent. on our contracts, to the whole tribe of money jobbers, contractors, &c. Mr. Stanhope.

The *Lord Mayor* [Mr. Sawbridge] condemned militias in general. He said they could be no longer deemed a constitutional defence, under the immediate controul and direction of the people; for by the bill passed before Christmas, they were rendered a standing army to all intents and purposes. The Lord Mayor.

poses whatever, as much as the body of men which passed under that name, the King having it in his power to call them out on the most frivolous occasions, and when they were embodied, of employing them in any service, and for what purpose he pleased. He said he knew many of the gentlemen of Scotland, who were as warm assertors of freedom as any in that House; but the body of the people were in general tinged with notions of despotism; their laws and education inclined them that way; he should therefore be unwilling to trust them with such an establishment; for when they once got arms in their hands, their dispositions uniting with their interests, might render them fit instruments in the hands of a treacherous, tyrannic and unprincipled administration. He instanced this in the spirit shewn in the addresses, which came from that country, where, though they did not say that they were ready to cut the throats of every man in America, they hinted pretty roundly that they were ready and willing, whenever his Majesty thought proper, to cut the throats of their fellow subjects at home. He observed, likewise, that the exception he made in favour of individuals, did not contradict his general assertions, for there were worthy valuable men in the most despotic countries; and that he believed more addresses were presented from Scotland, than there were towns, villages, and hamlets in the whole kingdom.

Lord North. Lord North supported the bill on the ground of constitutional defence. He said he could not agree in the construction put by the honourable magistrate on the Scotch addresses. He had read them, and, for his part, he could see nothing contained in them which would admit of such an interpretation. He imagined the honourable gentleman read and run, or otherwise he could not have possibly hit on such a construction as that they offered to cut the throats of their fellow-subjects, either at home or in America.

The House divided; for Mr. Townshend's motion 112, against it, 95. So the bill was lost.

The Bill, in general, was framed upon the Model of the English Bill. It differed, however, in some Places. These variations it will not, perhaps, be improper to note: and therefore we have extracted such Parts of the Bill as contain those variations.

And be it further enacted, That the number of private
men

men to be raised, by virtue of this act, in that part of Great Britain, called Scotland, shall be,

For the county of Aberdeen, five hundred and fifty-one.

For the county of Air, two hundred and eighty.

For the county of Argyll, three hundred and fourteen.

For the county of Bute, thirty-four.

For the county of Banff, one hundred and eighty-two.

For the county of Berwick, one hundred and twenty.

For the county of Caithness, one hundred and five.

For the county of Sutherland, one hundred.

For the county of Dumfries, one hundred and eighty-eight.

For the county of Dumbarton, sixty-six.

For the county of Edinburgh, two hundred and eighty-six.

For the city and county of the city of Edinburgh, one hundred and forty-three.

For the county of Elgin, one hundred and forty-five.

For the county of Nairn, twenty-seven.

For the county of Fife, three hundred and eighty-seven.

For the county of Kinross, twenty-three.

For the county of Forfar, three hundred and twenty-six.

For the county of Haddington, one hundred and forty-one.

For the county of Inverness, two hundred and eighty-two.

For the county of Kincardine, one hundred and nine.

For the stewartry of Kircudbright, one hundred.

For the county of Lanark, three hundred and eighty-eight.

For the county of Linlithgow, eighty.

For the county of Orkney and Zetland, one hundred and eighty-three.

For the county of Peebles, forty-two.

For the county of Perth, five hundred and sixty-four.

For the county of Renfrew, one hundred and twenty-six.

For the county of Ross, two hundred and three.

For the county of Cromarty, twenty-four.

For the county of Roxburgh, one hundred and sixty-five.

For the county of Selkirk, nineteen.

For the county of Stirling, one hundred and seventy-six.

For the county of Clackmannan, forty-three.

For the county of Wigton or Galloway, seventy-eight. . .

And be it enacted, That no peer of this realm, nor any person who shall serve as a commission officer in his Majesty's other forces, or in any one of his castles or forts, nor any non-commission officer or private man serving in any of his Majesty's other forces, nor any commission officer serving, or who has served three years in the militia, nor any person
being

being a member of any of the universities, nor any clergyman, nor any licensed teacher of any separate congregation, nor any articted clerk, apprentice, seaman, or sea-faring man, nor any person mustered and doing duty in any of his Majesty's docks, nor any man not possessed of the qualification necessary to enable him to be a deputy lieutenant or commission officer in the militia, who has a living child born in lawful wedlock, shall be compelled to serve personally, or provide a substitute to serve, in the militia.

And be it further enacted, That no person shall be admitted to serve as a substitute in the militia for any county or stewartry, who shall not have had his ordinary residence in the county or stewartry for which he shall offer to serve, for twelve calendar months immediately preceding; nor shall any person be admitted to serve as a substitute, who shall before have served for three years, either for the county or stewartry for which he is proposed as a substitute, or for any other in Scotland, until the expiration of six years from the time of his former service.

And be it enacted, That it shall be optional to any battalion or independant company of militia, within that part of the united kingdom, called Scotland, to be cloathed in the Highland dress, if the commanding officer thereof shall think fit.

And be it further enacted, That at the end of the first year's service of any battalion or independant company of militia, one third part of the private men of such battalion or independant company shall be discharged by ballot, and the private men so discharged, and also such vacancies as may have happened, shall be supplied by ballot; and after the second year's service of any battalion or independant company of militia, one other of the two remaining third parts of the private men shall be discharged, and others supplied, in like manner; and at the end of the third year's service of any battalion or independant company of militia, the remaining third part of the private men shall be discharged, and supplied in like manner; and from thenceforth a ballot shall be regularly made each year, for supplying the private men so discharged in rotation, and also for supplying such vacancies as may have happened in any battalion or independant company of militia.

And be it further enacted, That if any person, who is sworn and inrolled to serve in the said militia, shall enlist into his Majesty's other forces, the colonel or commanding officer
of

of such regiment or corps in which he shall so enlist, shall pay to the clerk of the corps of militia to which such militia man belongs, the sum of three pounds three shillings sterling, which shall be accounted for and paid by him to the commanding officer of the corps for which such militia man was enrolled to serve, and shall be applied towards finding another man to serve in such militia, in the room of the person so inlisting; and if such colonel or commanding officer shall, on demand, refuse to pay such sum of money to the clerk of the corps of militia, such enlisting shall be from thenceforth null and void. And if any militia man shall deny to any officer, serjeant, or other person, recruiting for men to enlist and serve in his Majesty's other forces, that he is, at the time of his offering to enlist, a militia man then actually inrolled and engaged to serve (which the said officer, serjeant, or other person, is hereby required to ask any man offering to enlist) and shall enlist in his Majesty's other forces, such person so offending, and who shall thereof be convicted before any justice of the peace for such county or stewartry, shall be committed to the common gaol of such county or stewartry, there to remain without bail, for any time not exceeding six calendar months, over and above any penalty or punishment to which such person so offending shall be otherwise liable by law, and from the day on which his engagement to serve in the militia shall end, and not sooner, except on payment of such sum of money as aforesaid, he shall belong as a soldier to such corps of his Majesty's other forces into which he shall have been so enlisted. [Upon this clause the bill was lost.]

And be it enacted, That if any person serving in any of his Majesty's regular forces shall offer to serve, and be inrolled, as a substitute, in the militia, he shall for every such offence, forfeit and pay any sum not exceeding ten pounds sterling.

[The Right Hon. T. Townshend and Mr. W. H. Hartley Mr. Townshend and Mr. Hartley remarked upon the following clause, that it had a most unfavourable and suspicious appearance; it vested, they said, a power in the crown that might be employed to the very worst purposes.]

And be it enacted, That his Majesty's lieutenants, or any three deputy lieutenants, of any county or stewartry, is and are hereby authorised, by warrant under his hand and seal, or their hands and seals, to employ such person or persons as he or they shall think fit, to seize and remove the arms,

clothes and accoutrements, belonging to the militia of such county or stewartry, whenever his Majesty's said lieutenants, or the deputy lieutenants, shall adjudge it necessary to the kingdom, and to deliver the said arms, clothes, and accoutrements, into the custody of such person or persons as his Majesty's said lieutenants, or deputy lieutenants, shall appoint to receive the same, for the purposes of this act. . . .

March 21.

Mr. Alderman
man *Wilkes*.

Mr. *Alderman Wilkes*. All wise governments, and well-regulated states, have been particularly careful to mark and correct the various abuses, which a considerable length of time almost necessarily creates. Among these, one of the most striking and important in our country is, the present unfair and inadequate state of the representation of the people of England in Parliament. It is now become so partial and unequal, from the lapse of time, that I believe almost every gentleman in the House will agree with me in the necessity of its being taken into our most serious consideration, and of our endeavouring to find a remedy for this great and growing evil.

I wish, Sir, my slender abilities were equal to a thorough investigation of this momentous business. Very diligent and well-meant endeavours have not been wanting to trace it from the first origin. The most natural and perfect idea of a free government is, in my mind, that of the people themselves assembling to determine by what laws they chuse to be governed, and to establish the regulations they think necessary for the protection of their property and liberty against all violence and fraud. Every member of such a community would submit with alacrity to the observance of what had been enacted by himself, and assist with spirit in giving efficacy and vigour to laws and ordinances, which derived all their authority from his own approbation and concurrence. In small inconsiderable states, this mode of legislation has been happily followed, both in antient and modern times. The extent and populousness of a great empire seems scarcely to admit it without confusion or tumult; and therefore, our ancestors, more wise in this than the antient Romans, adopted the representation of the many by a few, as answering more fully the true ends of government. Rome was enslaved from inattention to this very circumstance, and by one other fatal act, which ought to be a strong warning to the people, even against their own representatives here, the leaving power too long in the hands of the same persons, by which the armies of the republic became the armies

mies of Sylla, Pompey, and Cæsar. When all the burghers of Italy obtained the freedom of Rome, and voted in public assemblies, their multitudes rendered the distinction of the citizen of Rome and the alien impossible. Their assemblies and deliberations became disorderly and tumultuous. Unprincipled and ambitious men found out the secret of turning them to the ruin of the Roman liberty, and the common-wealth; among us this evil is avoided by representation, and yet the justice of the principle is preserved. Every Englishman is supposed to be present in Parliament, either in person, or by deputy chosen by himself, and therefore the resolution of Parliament is taken to be the resolution of every individual, and to give to the public the consent and approbation of every free agent of the community.

According to the first formation of this excellent constitution, so long and so justly our greatest boast and best inheritance, we find that the people thus took care no laws should be enacted, no taxes levied but by their consent, expressed by their representatives in the great council of the nation. The mode of representation in antient times being tolerably adequate and proportionate, the sense of the people was known by that of Parliament; their share of power in the legislature was preserved, and founded in equal justice; at present it is become insufficient, partial, and unjust.

From so pleasing a view as that of the equal power, which our ancestors had, with great wisdom and care, modelled for the commons of this realm, the present scene gives us not very venerable ruins of that majestic and beautiful fabric, the English constitution. As the whole seems in disorder and confusion, all the former union and harmony of the parts are lost or destroyed. It appears, Sir, from the writs remaining in the King's remembrancer's office in the exchequer, that no less than 22 towns sent members to the Parliaments in the 23d, 25th, and 26th, of King Edward I. which have long ceased to be represented. The names of some of them are scarcely known to us, such as those of Canebrig and Bamburg in Northumberland, Pershore and Brem in Worcestershire, Jarvall and Tykhull in Yorkshire. What a happy fate, Sir, has attended the boroughs of Gattton and Old Sarum, of which, although *ipsæ periere ruinæ*, the names are familiar to us, the clerk regularly calls them over, and four respectable gentlemen represent their departed greatness, as the knights at a coronation represent Aquitaine

and Normandy! The little town of Banbury, *petite ville grand renom*, as Rabelais says of Chinon, has, I believe, only 17 electors, yet gives us, in its representative, what is of the utmost importance to the majority here, a first Lord of the treasury, and a Chancellor of the exchequer. Its influence and weight, on a division, I have often seen overpower the united force of the members for London, Bristol, and several of the most populous counties. East-Grinstead too, I think, has only about 30 electors, yet gives a seat among us to that brave, heroic lord at the head of a great department, now very military, who has fully determined to conquer America---but not in Germany. It is not, Sir, my purpose to weary the patience of the House by the researches of an antiquarian into the antient state of our representation, and its variations at different periods. I shall only remark shortly on what passed in the reign of Henry VI. and some of his successors. In that reign, Sir John Fortescue, his chancellor, observed that the House of Commons consisted of more than 300 chosen men; various alterations were made by succeeding Kings till James II. since which period no change has happened. Great abuses, it must be owned, contrary to the primary ideas of the English constitution, were committed by our former princes, in giving the right of representation to several paltry boroughs, because the places were poor, and dependent on them, or on a favourite over-grown peer. The landmarks of the constitution have often been removed. The marked partiality of Cornwall, which single county still sends, within one, as many members as the whole kingdom of Scotland, is striking, and arose from its yielding to the crown in tin and lands a larger hereditary revenue than any other English county, as well as from the duchy being in the crown and giving an amazing command and influence. By such acts of our princes the constitution was wounded in its most vital part. Henry VIII. restored two members, Edward VI. twenty, Queen Mary four, Queen Elizabeth twelve, James I. sixteen, Charles I. eighteen, in all seventy-two. The alterations by creation in the same period were more considerable, for Henry VIII. created thirty-three, Edward VI. twenty-eight, Queen Mary seventeen, Queen Elizabeth forty-eight, James I. eleven; in all 137. Charles I. made no new creation of this kind. Charles II. added two for the county, and two for the city of Durham, and two for Newarke on Trent. This House is at this hour composed of the same representation it was at his demise, notwithstanding

withstanding the many and important changes which have since happened ; it becomes us therefore to enquire, whether the sense of Parliament can be now, on solid grounds, from the present representation, said to be the sense of the nation, as in the time of our forefathers. I am satisfied, Sir, the sentiments of the people cannot be justly known at this time from the resolutions of a Parliament, composed as the present is, even tho' no undue influence was practised after the return of the members to the House, even supposing for a moment the influence of all the baneful arts of corruption to be suspended, which, for a moment, I believe, they have not been, under the present profligate administration. Let us examine, Sir, with exactness and candour, of what the efficient parts of this House are composed, and what proportion they bear on the large scale, to the body of the people of England, who are supposed to be represented.

The southern part of this island, to which I now confine my ideas, consists of about five millions of people, according to the most received calculation. I will state by what numbers the majority of this House is elected, and I suppose the largest number present of any recorded in our journals, which was in the famous year 1741. In that year the three largest divisions appear on our journals.---- The first is that of the 21st of January, when the numbers were 253 to 250; the second on the 28th of the same month, 236 to 235; the third on the 9th of March, 244 to 242. In these divisions the members of Scotland are included; but I will state my calculations only for England, because it gives the argument more force. The division therefore, I adopt, is that of January 21; the number of members present on that day, were 503. Let me however suppose the number of 254 to be the majority of members, who will ever be able to attend in their places. I state it high, from the accidents of sickness, service in foreign parts, travelling, and necessary avocations. From the majority of electors in the boroughs, which return members to this House, it has been demonstrated that this number of 254 members are actually elected by no more than 5723 persons, generally the inhabitants of Cornish, and other boroughs, and perhaps not the most respectable part of the community. Is our Sovereign then to learn the sense of his whole people from these few persons? Are these the men to give laws to this vast empire, and to tax this wealthy nation? I do not mention all the tedious calculations, because gentlemen may find them at length in the works of the incomparable Dr. Price,

Price, in Postlethwaite, and in Burgh's political disquisitions. Figures afford the clearest demonstration, incapable of cavil or sophistry. Since Burgh's calculation only one alteration has happened; I allude to the borough of Shoreham, in Suffex; for by the act of 1771, all the freeholders of forty shillings per annum, in the neighbouring rape or hundred of Bramber, are admitted to vote for that borough, but many of the old electors were disfranchised. It appears likewise, that 56 of our members are elected by only 364 persons. Lord chancellor Talbot supposed that the majority of this House was elected by 50,000 persons, and he exclaimed against the injustice of that idea. More accurate calculations than his Lordship's, and the unerring rules of political arithmetic, have shewn the injustice to be vastly beyond what his Lordship even suspected.

When we consider, fir, that the most important powers of this house, the levying taxes on, and enacting laws for, five millions of persons, is thus usurped and unconstitutionally exercised by the small number I have mentioned, it becomes our duty to the people to restore to them their clear rights, their original share in the legislature. The ancient representation of this kingdom we find was founded by our ancestors in justice, wisdom, and equality. The present state of it would be continued by us in folly, obstinacy, and injustice. This evil has been complained of by some of the wisest patriots our country has ever produced. I shall beg leave to give that close reasoner, Mr. Locke's ideas in his own words. He says, in the treatise on civil government, "Things not always changing equally, and private interest often keeping up customs and privileges, when the reasons of them are ceased, it often comes to pass, that in governments, where part of the legislative consists of representatives chosen by the people, that in tract of time this representation becomes very unequal and disproportionate to the reasons it was at first established upon. To what gross absurdities, the following of a custom, when reason has left it, may lead, we may be satisfied, when we see the bare name of a town, of which there remains not so much as the ruins, where scarce so much housing as a sheep-cote, or more inhabitants than a shepherd is to be found, sends as many representatives to the grand assembly of law-makers, as a whole county, numerous in people, and powerful in riches. This strangers stand amazed at, and every one must confess needs a remedy." After so great an authority as that of Mr. Locke, I shall scarcely be treated on this occasion as a mere visionary, and the propriety of the

motion I shall have the honour of submitting to the house, will scarcely be disputed. Even the members for such places as Old Sarum, and Gatton, who I may venture to say at present *stant nominis umbræ*, will, I am persuaded, have too much candour to complain of the right of their few constituents, if indeed they have constituents, if they are not self-created, self-elected, self-existent, of this pretended right being transferred to the county, while the rich and populous manufacturing towns of Birmingham, Manchester, Leeds, Sheffield, and others, may have at least an equitable share in the formation of those laws by which they are governed. My idea, sir, in this case, as to the wretched and depopulated towns and boroughs in general, I own is amputation. I say with Horace, *Inutiles ramos amputans, feliciores inserit*.

This is not, sir, the first attempt of the kind to correct, although in an inconsiderable degree, this growing evil. Proceedings of a similar nature were had among us above a century past. The clerk will read from our journals what passed on the 26th of March, 1668, on a bill to enable the county palatine of Durham to send two knights for the county, and two citizens for the city of Durham. [*The clerk reads.*] In a book of authority, Anchitell Grey's debates, we have a more particular account of what passed in the house on that occasion. He says, that "Sir Thomas Meres moved, that the shires may have an increase of knights, and that some of the small boroughs, where there are but few electors, may be taken away, and a bill for that purpose." "On a division, the bill was rejected, 65 to 50." This, however, alludes only to the bill then before the house, respecting the county and city of Durham. I desire to add the few remarkable words of Sir Thomas Strickland in this debate, because I have not seen them quoted on the late important American questions. "The county palatine of Durham was never taxed in Parliament by ancient privilege before King James's time, and so needed no representatives, but now being taxed, it is but reasonable they should have." Such sentiments, sir, were promulgated in this house even so long ago as the reign of Charles II.

I am aware, sir, that the power, *de jure*, of the legislature to disfranchise a number of boroughs, upon the general grounds of improving the constitution, has been doubted; and gentlemen will ask, whether a power is lodged in the representative to destroy his immediate constituent? Such a question is best answered by another: How originated the right, and upon what
what

what grounds was it granted? Old Sarum and Gatton, for instance, were populous towns, when the right of representation was first given them. They are now desolate, and therefore ought not to retain a privilege, which they acquired only by their extent and populousness. We ought in every thing, as far as we can, to make the theory and practice of the constitution coincide, and the supreme legislative body of a state must surely have this power inherent in them. It was *de facto* lately exercised to its full extent by this house in the case of Shoreham, with universal approbation, for near a hundred corrupt voters were disfranchised, and about twice that number of freeholders admitted from the county of Suffex.

It will be objected, I foresee, that a time of perfect calm and peace throughout this vast empire, is the most proper to propose internal regulations of this importance; and that while intestine discord rages in the whole northern continent of America, our attention ought to be fixed upon that most alarming object, and all our efforts employed to extinguish the devouring flame of a civil war. In my opinion, sir, the American war is in this truly critical æra one of the strongest arguments for the regulations of our representation, which I now submit to the house. During the rest of our lives, likewise, I may venture to prophecy, America will be the leading feature of this age. In our late disputes with the Americans, we have always taken it for granted, that the people of England justified all the iniquitous, cruel, arbitrary, and mad proceedings of administration, because they had the approbation of the majority of this house. The absurdity of such an argument is apparent, for the majority of this house we know speak only the sense of 5723 persons, even supposing, according to the constitutional custom of our ancestors, the constituent had been consulted on this great national point, as he ought to have been. We have seen in what manner the acquiescence of a majority here is obtained. The people in the southern part of this island amount to upwards of five millions. The sense, therefore, of five millions cannot be ascertained by the opinion of not six thousand, even supposing it had been collected. The Americans with great reason insist, that the present war is carried on contrary to the sense of the nation, by a ministerial junto, and an arbitrary faction, equally hostile to the rights of Englishmen, and the claims of Americans. The various addresses to the throne from most numerous bodies, praying that the sword
may

may be returned to the scabbard, and all hostilities cease, confirm this assertion. The capital of our country has repeatedly declared, by various public acts, its abhorrence of the present unnatural civil war, begun on principles subversive of our constitution. Our history furnishes frequent instances of the sense of Parliament running directly counter to the sense of the nation. It was notoriously of late the case in the business of the Middlesex election. I believe the fact to be equally certain in the grand American dispute, at least as to the actual hostilities now carrying on against our brethren and fellow-subjects. The proposition before us will bring the case to an issue, and from a fair and equal representation of the people, America may at length distinguish the real sentiments of freemen and Englishmen.

I do not mean, Sir, at this time, to go into a tedious detail of all the various proposals, which have been made for redressing this irregularity in the representation of the people. I will not intrude on the indulgence of the House, which I have always found so favourable to me. When the bill is brought in, and sent to a committee, it will be the proper time to examine all the minutiae of this great plan, and to determine on the propriety of what ought now to be done, as well as of what formerly was actually accomplished. The journals of Cromwell's Parliaments prove that a more equal representation was settled, and carried by him into execution. That wonderful, comprehensive mind embraced the whole of this powerful empire. Ireland was put on a par with Scotland, and each kingdom sent thirty members to a Parliament, which consisted likewise of four hundred from England and Wales, and was to be triennial. Our colonies were then a speck on the face of the globe; now they cover half the new world. I will at this time, Sir, only throw out general ideas, that every free agent in this kingdom should, in my wish, be represented in Parliament; that the metropolis, which contains in itself a ninth part of the people, and the counties of Middlesex, York, and others, which so greatly abound with inhabitants, should receive an increase in their representation; that the mean, and insignificant boroughs, so emphatically stiled the rotten part of our constitution, should be lopped off, and the electors in them thrown into the counties; and the rich, populous, trading towns, Birmingham, Manchester, Sheffield, Leeds, and others, be permitted to send deputies to the great council of the nation.

The disfranchising of the mean, venal, and dependent boroughs would be laying the axe to the root of corruption and treasury influence, as well as aristocratical tyranny. We ought equally to guard against those, who sell themselves, or whose Lords sell them. Burgage tenures, and private property in a share of the legislature, are monstrous absurdities in a free state, as well as an insult to common sense. I wish, Sir, an English Parliament to speak the free, unbiassed sense of the body of the English people, and of every man among us, of each individual, who may justly be supposed to be comprehended in a fair majority. The meanest mechanic, the poorest peasant and day-labourer, has important rights respecting his personal liberty, that of his wife and children, his property, however inconsiderable, his wages, his earnings, the very price and value of each day's hard labour, which are in many trades and manufactures regulated by the power of Parliament. Every law relative to marriage, to the protection of a wife, sister, or daughter, against violence and brutal lust, to every contract or agreement with a rapacious or unjust master, interest the manufacturer, the cottager, the servant, as well as the rich subjects of the state. Some share therefore in the power of making those laws, which deeply interest them, and to which they are expected to pay obedience, should be reserved even to this inferior, but most useful set of men in the community; and we ought always to remember this important truth, acknowledged by every free state, that all government is instituted for the good of the mass of the people to be governed; that they are the original fountain of power, and even of revenue, and in all events the last resource.

The various instances of partial injustice throughout this kingdom will likewise become the proper subjects of enquiry in the course of the bill before the committee, such as the many freeholds in the city of London, which are not represented in this House. These freeholds being within the particular jurisdiction of the city, are excluded from giving a vote in the county of Middlesex, and by act of Parliament only liverymen can vote for members of parliament in London. These, and other particulars, I leave. I mention them now to shew the necessity of a new regulation of the representation of this kingdom.

My enquiries, Sir, are confined to the southern part of the island. Scotland I leave to the care of its own careful and prudent sons. I hope they will spare a few moments from the management of the arduous affairs of England and America,

America, which at present so much engross their time, to attend to the state of representation among their own people, if they have not all emigrated to this warmer and more fruitful climate. I am almost afraid the forty-five Scottish gentlemen among us represent themselves. Perhaps in my plan for the improvement of the representation of England, almost all the natives of Scotland may be included. I shall only remark, that the proportion of representation between the two countries cannot be changed. In the twenty-second article of the treaty of Union the number of forty-five is to be the representative body in the Parliament of Great-Britain for the northern part of this Island. To increase the members for England and Wales beyond the number, of which the English Parliament consisted at the period of that treaty in 1706, would be a breach of public faith, and a violation of a solemn treaty between two independent states. My proposition has for its basis the preservation of that compact, the proportional share of each kingdom in the legislative body remaining exactly according to its present establishment.

The monstrous injustice and glaring partiality of the present representation of the commons of England has been fully stated, and is, I believe, almost universally acknowledged, as well as the necessity of our recurring to the great leading principle of our free constitution, which declares this House of Parliament to be only a delegated power from the people at large. Policy, no less than justice, calls our attention to this momentous point; and reason, not custom, ought to be our guide in a business of this consequence, where the rights of a free people are materially interested. Without a true representation of the Commons our constitution is essentially defective, our Parliament is a delusive name, a mere phantom, and all other remedies to recover the pristine purity of the form of government established by our ancestors would be ineffectual, even the shortening the period of Parliaments, and a place and pension bill, both which I highly approve, and think absolutely necessary. I therefore flatter myself, Sir, that I shall have the concurrence of the House with the motion, which I have now the honour of making, "That leave be given to bring in a bill for a just and equal representation of the people of England in Parliament."

Mr. Alderman *Bull* seconded the motion.

Lord *North* was very jocular. He said, whatever reason other gentlemen had to complain, he imagined the honourable

Mr. Alderman *Bull*.
Lord *North*.

ble gentleman was tolerably well pleased with his success in London and Middlesex. He supposed the honourable gentleman was not serious, nor ever meant his proposition should go to a committee. If he should prevail, he assured him, it would cause great discontent; and he would find it no easy task to prevail on those who had an interest in the boroughs, on which he bestowed so many hard names, to sacrifice to ideal schemes of reformation, so beneficial a species of property. His lordship entered into a physical, chirurgical, and political disquisition on the nature and effects of *amputations* in general, as operating on the body natural and body politic; and shewed how dangerous such experiments have proved, and the risque of overthrowing or dissolving the constitutions such experiments were intended to correct and amend. He thought the proposition could do no good, and might do much harm; and added, that he did not approve of it.

Mr. Wilkes. Mr. *Wilkes* made a short reply; and the question being put, it passed in the negative, without a division.

Order for second reading of the bill for the better supply of mariners and seamen on board the King's ships and merchants' ships (being to employ foreign seamen, not exceeding in number, on board one vessel, three-fourths of her crew.)

Hon. T. Luttrell.

Hon. T. Luttrell said he would maintain the veracity of his assertions in a former debate on naval affairs, and which had been publicly called in question in another place by the first naval authority in Great Britain. He said, that the same noble earl had likewise in that other place [meaning, no doubt, the House of Lords] positively, and with consummate effrontery, denied, that any vagrants had been admitted on board the King's ships, and had recourse to the miserable subterfuge, when a noble Duke, [his Grace of Richmond] produced the minute books of the last sessions for Hampshire of protesting, that though this was a proof of commitment on the part of the magistrates, it was no proof of their having been received on board any of his Majesty's vessels; and that he was particularly careful to preserve the morals of the seamen by preventing such wretches as those spoken of from being entered for the naval service. He produced the clearest testimony, that several of those vagrants, whose names had had been read in the other house by the noble Duke before-mentioned, were on the first day of February last delivered by the gaoler at Gosport on board his Majesty's frigate *Greyhound*, Captain Dickson, lately gone to America. He wished the ministers to recollect what happened from a similar measure

measure in 1755, when, for the purpose of getting men for Admiral Boscawen's fleet, the outcasts of the prisons, were, by an order of the Privy Council, couched in the same terms with a recent one, admitted on board; and cost no less than two thousand lives in that squadron of eleven ships of the line, within the space of eight months. He reprehended in very severe terms, what he called the supercilious confidence with which the noble lord [Lord Sandwich] contradicted the most notorious facts, and asserted day after day falsehoods so very glaring, that he had no chance to escape being detected, though he infamously shut the door to all official information whatever, unless derived from himself in person; going to so extraordinary length, as to desire that professional men might be referred to an audience with him to be convinced that they knew nothing of a service, to the theory and practice of which they had devoted the better part of their lives, and which he only could possess in ideal presumption. He shewed the weak state of the nineteen guardships; that their present complements scarcely exceeded altogether 6000 men, and their war establishment, to be fit for action, would exceed 12,000; that to procure the other 6000 upon an emergency you would be obliged to disarm at least 1000 trading vessels of different sorts; for that raw men, such as ploughmen or menial servants, could never be taken for a squadron that was to relieve Gibraltar in case of a siege, or to protect Ireland, or to cover the British coasts. The marines, he said, were mostly in America. The French and Spaniards will have by the latter end of next month, in their several ports of the Mediterranean and the bay of Biscay, near 30 men of war of the line ready for actual service, and may, if they judge expedient, by means of their registers, augment that number to at least 40 within the same space of time. The utmost exertion of this country could not find maritime resources nearly equal to that strength of the House of Bourbon, in case of a threatened invasion, under five or six months. The ships for America have scarce any able seamen at all. The *Le Blonde*, commanded by Capt. Pownoll, on whom Lord Sandwich had bestowed such lavish compliments for completely manning his ship in a few days, had in fact, when she sailed from Chatham, only 30 able seamen out of 220. The *Flora*, another frigate of 32 guns, had only four able seamen when she left that port, and was obliged to borrow 50 men from the *Ramillies* guardship to carry her out of the river Medway to Blackstake. A very diligent officer at one
of

of the rendezvous stations in 28 days was able to procure five seamen only; and Lord Howe's own ship, the *Eagle*, had on Saturday last scarce more than 40 seamen out of about 108 nominal sailors, a great part of which 108 were lent from the yachts, and for occasional operations, and her full complement, as a 64 gun ship, is 520 men. He asked how this state of the flag-ship, which had been several weeks commissioned, and was at so central a department for the reception of volunteers, agreed with the noble Earl's assertion, that the character of the commander was sufficient at this time to supply the ship's complement expeditiously and completely. Did the noble Earl mean, when he observed, that he should further the naval service by putting less reliance on the admiralty board, and more confidence in the captains, to throw the miscarriage in raising men off his own shoulders upon those gentlemen, and hope by that means to shelter himself from the censure and vengeance of his insulted country? The censure of his country he had long and deservedly been in possession of; and there was every appearance, that if he pursued the same profligate and imposing career, the vengeance of this nation must very soon overtake him. The noble Earl had said in another place, that more had been done within two months by the activity and talents of the present admiralty board, than during the whole course of the last glorious war. If the noble Earl meant by more having been done, that more mischief had been done, and more absurd and reprehensible acts, he heartily joined issue with him; but certain it is, that more good was done at the admiralty board in two months when Lord Anson presided there, than during the whole five years of the present first commissioner's naval administration.

Sir Hugh
Palliser.

Sir Hugh *Palliser* denied the facts relative to the deficiency of seamen, and said, that all the ships gone to America were perfectly well manned and equipped for service. As to the vagrants, he said he knew nothing of them; but was clearly of opinion they ought not to be received aboard.

Gov. *John-*
stone.

Governor *Johnstone* strongly condemned the measure of admitting on board his Majesty's ships, men of slovenly, profligate, slothful habits, to vitiate the good discipline and order of the generality of the lower order in the profession.

Lord *North.*

Lord *North* said, a vagrant or two might accidentally have been admitted; and censured Mr. Luttrell as disorderly, for repeating what had passed in the other House.

Hon.

Hon. *T. Luttrell* said the vagrants gone from Winchester ^{Capt. Lut-} gaol, were an inconsiderable part of a great number that he ^{trell.} could prove to have been sent on board the King's ships from other quarters; and as to referring to the debates of the other House, he appealed to the gentlemen present, whether he was not justified in so doing, from the example of that pattern of good order, wisdom, and rectitude, the Earl of Sandwich, who had in the House of Lords reviled him in the most indecent terms for what had been said in the House of Commons; and falsely imputed the part he had taken in the present distracted condition of navy affairs, and misconduct of ministers, to personal spleen, ignorance and rancour.

The bill was committed.

March 22.

In committee on the bill.

The Hon. *T. Luttrell* offered an amendment, to except the ^{Captain} natives, and naturalized subjects of France and Spain. ^{Luttrell.} He observed, that though this bill was almost verbatim the same as that in 1755; yet it should be considered, that from the nature of that war, the French seamen were of course almost out of the case, and so were those belonging to the whole House of Bourbon; and as to the Genoese, who carry on the greatest coasting trade of any of the Italian powers, their natural or bigotted attachment to France, put them also out of the case; as a proof of this, it was well known that M. de Gallisoniere's fleet, in 1756, was almost half manned by the natives of that republic. This bill, he said, was giving better encouragement to our natural enemies, than our own mariners; for the former might enter into our merchants service, without a risk of being pressed, as we could by no means compel them to serve on board the King's ships: and it was this apprehension that deterred the seamen of this country from agreeing with the merchants; for they would find it more to their advantage to go over to Holland, or any remote trading country, and accept of the current wages there, than serve against their fellow-subjects of America, carrying slaughter and unprofitable plunder along the coasts of that fated continent, for the hire of 24 shillings per month.---So, in fact, if this bill passed in its present form, so far from increasing our naval strength, it would only weaken it, by exchanging British seamen for French, Spaniards, and Russians.

Right Hon. *T. Townshend* seconded the motion.

Rt. Hon *T.*
Townshend.
Sir Grey

Sir Grey Cooper said, when a similar bill to this passed in 1755, at the breaking out of the late war, not one of the con-

Cooper.

sequences

sequences stated by the hon. gentleman who moved the clause, were complained of, felt, or imagined.

The Committee divided; for the amendment 22, against it 53.-----Adjourned to March 25.

March 25.

A bill having been brought in by Mr. Joliffe, for laying a tax upon dogs, in order to ease the poor rates, the order of the day was to go into a Committee on the bill, and the motion being made for the Speaker to leave the chair, it passed in the negative, and the bill, of course, was dropt.

March 26.

Third reading of the bill for the better supply of mariners and seamen to serve in his Majesty's and merchant ships.

Capt. Luttrell.

Hon. *T. Luttrell* said the bill would destroy the British nurseries for seamen (of late years confined by acts of the legislature within narrow limits) and establish nurseries for foreigners, who are our rivals in commerce, and in them the sovereignty of the seas. He stated the bad policy of instructing the Russians to excel in seamanship, and making our natural enemies of France and Spain perfectly acquainted with our ports, our fortresses, and arsenals in Great-Britain and the colonies: he said, that this bill, added to the measure of employing foreign vessels to carry the German mercenaries to America, effectually repealed all the navigation acts, unless it were admitted that such foreign vessels were seizable, and would become legal captures. This bill was directly counter to our treaties with the African powers, and to our passes for the Mediterranean, and Levant trade; which passes state, that two-thirds of the crew shall be natives or naturalized subjects of Great-Britain---That from the continued communication with the Barbary-rovers, which must be the consequence of this bill, and the admission of Levant-seamen, there would be much danger of the plague, the only calamity wanted to perfect the present picture of distress, and of sinister fatality to the nation, when we have battle, murder, famine, and nearly a state of bankruptcy; but nothing ever so impolitic, ever so rash, ever so desperate, was to check our career in prosecuting the most unjust, barbarous, disgraceful and destructive war to be found in the annals of any civilized nation since the commencement of the world.--Foreigners were to compose our army in America, foreigners to take charge of our most important garrisons in Europe; two-thirds of our commercial fleets to be manned by foreigners, and foreigners (the Scotch-Dutch) to have possession of

of Portsmouth, Plymouth, and the very centre of your empire.

Sir *George Yonge* said, two things struck him, which he Sir George Yonge. could not help taking notice of: The first was, the necessity that drove administration to adopt the present expedient; the other, that it went directly to weaken that species of strength, which was our only sure protection against any schemes of ambition, revenge, or national envy, which might be formed on the continent. The first did not barely furnish an argument, that the present war carrying on against our brethren in America, was an unpopular war; it carried demonstration with it, that the body of the people condemned it; and that it was unaccompanied by that degree of conviction and approbation sufficient to rouse the spirit of the English nation, which must be always convinced of the justice of the cause they are called to support, before they engage in it with firmness and alacrity. On the second point, he insisted, that as soon as we became dependent on rival nations for seamen to serve on board our ships of war, or mariners to navigate our trading vessels, at that instant our maritime power, and consequently our great commercial importance, would be at an end. He lamented the present state of our public affairs, and the impolitic measures pursuing against America. He foresaw nothing but inevitable destruction. He feared there were many violent spirits on both sides of the Atlantic. A faint prospect of conciliation appeared on the opening of the session: that, however, through the means of some dangerous, dark, over-ruling influence, was quite vanished; and all hopes of any sort of healing measures were now entirely over.

Lord *North* said, the same sort of law was passed at the Lord North. commencement of the late war, and that very singular advantages were then derived from it to the naval strength and commercial interests of this country.

There was no division. The bill passed.

*Copy of Lieutenant General Gage's requisition for 21,500*l*. dated the 7th of February, 1775.*

S I R,

Boston, February 7, 1775.

IN obedience to the orders of the Lords commissioners of his Majesty's treasury, I have the honour to inclose a copy of my letter to the honourable John Watts, esq. agent to the contractors for supplying money for his Majesty's forces in North America; requiring him to prepare the sum of

20,000l. sterling, for the contingent or extraordinary expences of his Majesty's forces in North America for the ensuing quarter.

You will also receive, by this occasion, a copy of my letter to Colin Drummond, esq. agent to the contractors for supplying money for his Majesty's forces in North America; requiring him to prepare the sum of 1500l. sterling, for contingent or extraordinary expences of his Majesty's forces in North America for the ensuing quarter.

I have the honour to be, with great regard,
Sir,

*John Robinson, esq.
Treasury chambers.*

your most obedient humble servant
T H O M A S G A G E.

S I R,

Boston, February 7, 1775.

THE Lords commissioners of his Majesty's treasury, having been pleased to desire, that I should give you notice in writing of the sums of money that will be wanted in each quarter to defray the contingent and extraordinary expences of his Majesty's forces under my command, I am therefore to acquaint you, that the sum of 20,000l. sterling will, as nearly as the same can be calculated, be wanting to answer said expences for the ensuing quarter, at this place, New York and Halifax. I am, Sir, &c.

*Honourable John Watts, esq. agent
to the contractors for supplying Money
for his Majesty's forces in North
America, at New York.*

S I R,

Boston, February 7, 1775.

THE Lords commissioners of his Majesty's treasury, having been pleased to desire, that I should give you notice in writing of the sums of money that will be wanted in each quarter, to defray the contingent and extraordinary expences of his Majesty's forces under my command; I am therefore to acquaint you, that the sum of 1500l. sterling, will as nearly as the same can be calculated, be wanting to answer said expences for the ensuing quarter, in the province of Quebec. I am, Sir, &c.

*Colin Drummond, esq. agent to the con-
tractors for supplying money for his Ma-
jesty's forces in North America, at Que-
bec.*

Copy

*Copy of Lieutenant General Gage's requisition for 20,000l.
dated the 17th of April, 1775.*

S I R,

Boston, April 17, 1775.

IN obedience to the orders of the Lords commissioners of his Majesty's treasury, I have the honour to inclose a copy of my letter to the honourable John Watts, esq. agent to the contractors for supplying money for his Majesty's forces in North America; requiring him to prepare the further sum of 20,000l. sterling, for the contingent or extraordinary expences of his Majesty's forces in North America, for the present quarter.

I have the honour to be, with great regard,
Sir,

*John Robinson, esq.
Treasury chambers.*

your most obedient humble servant

THOMAS GAGE.

S I R,

Boston, April 17, 1775.

THE Lords commissioners of his Majesty's treasury, having been pleased to desire, that I should give you notice in writing, of the sums of money that will be wanted in each quarter, to defray the contingent and extraordinary expences of his Majesty's forces under my command; I am therefore to acquaint you, that the further sum of 20,000l. sterling, will be wanted to answer said expences for the present quarter.

I am, Sir, &c.

*Honourable John Watts, esq. agent to
the contractors for supplying money for
his Majesty's forces in North America,
at New York.*

Boston, May 23, 1775.

The like requisition by General Gage for 10,000l. in the same terms.

Boston, June 1, 1775.

The like requisition by General Gage for 20,000l.

Boston, July 22, 1775.

The like requisition by General Gage for 20,000l.

Boston, August 7, 1775.

The like requisition by General Gage for 40,000l.

Boston, September 30, 1775.

The like requisition by General Gage for 100,000l.

Boston, November 1, 1775.

The like requisition by General Howe for 100,000l. in the same terms.

Boston, January 1, 1776.

The like requisition by General Howe for 100,000l.

List of Warrants granted by his Excellency General Gage for the extraordinary Expences of his Majesty's Forces in North America, between the 1st of January and the 31st of March, 1775.

<i>Dates.</i>	<i>Upon whom drawn.</i>	<i>In whose Favour.</i>	<i>Sterling.</i>		<i>For what Purposes.</i>
			<i>£.</i>	<i>s. d.</i>	
1775,					
Jan. 2.	John Garnier Esq. deputy pay-master at Boston	Samuel Kemble, Esq.	300	0 0	} Being on account of expences incurred in the secretary's office.
18.	Thomas Barrow, Esq. deputy pay-master at New York.	Mr. W. Forman, pay-master to the engineers department.	3000	0 0	
28.	George James Williams, Esq. deputy pay-master at Halifax.	Major William Butler, 65 regiments.	245	5 5½	} Being to enable him to defray the expences incurred for the ordinary contingent military services at Halifax, from the 25th of June to the 24th of December, 1774.
Feb. 4.	John Garnier, Esq. deputy pay-master at Boston.	Col. James Robertson, barrack-master general.	665	4 1¼	
6.	Ditto.	Ditto.	1715	14 1	Being the amount of barrack expences at Boston, from the 1st of July to the 31st of December, 1774.

20. John Powel, Esq. deputy pay-master at Quebec. } Mr. Alexander MacCulloch, acting for Mr. A. Cunningham deputy commissi- ner at Quebec.		302 12 7	} Being for contingencies and disbursements attending the office of commissary general of stores and provisions for the province of Quebec, from the 25th of June to the 24th of December, 1774.
23. Thomas Barrow, Esq. deputy pay-master at New-York. } Mr. Thomas Galbreath, attorney to Mr. Normam MacLeod.		45 15 0	
Mar. 8. Ditto. } Mr. William Forman, pay-master to the engineers depart.		2000 0 0	} Being to enable him to pay off the present outstanding bills, and accounts, and answering further demands that may be made on him for the expences of his Majesty's works in the engineers department.
9. John Garnier, Esq. deputy pay-master at Boston. } Major Wm. Shirreff, attorney to Samuel Holland, Esq.		34 10 0	
25. John Garnier, Esq. deputy pay-master at Boston. } Daniel Chamier, Esq. Commissary General.		600 17 11 $\frac{3}{4}$	} Being money due to deputy commissaries, coopers, labourers, and other incidental charges, incurred at the several ports in the commissary general's department, from the 25th of December, 1774, to the 24th of March, 1775.
Carried over		£. 24309 19 2 $\frac{1}{2}$	

A. 1776. D E B A T E S.

For what Purposes.

In whose Favour.

Upon whom drawn.

Sterling.

£. s. d.

24309 19 2½

Brought over

Col. James Robert-
son, barrack-master
general.

1775.

Mar. 31 Thomas Barrow, Esq. de-
puty pay-master at New
York.

Being the expence of supplying the barracks
at the several garisons in North America
with fuel and candles, officers lodging and
bedding, and sundry contingent expences
in the barrack-master general's depart-
ment, from the 1st of January to the 31st
of March, 1775.

John Garnier, Esq. deputy
pay-master at Boston.

Samuel Kemble, Esq.

4069 0 3¼

Being for sundry bills, drawn upon the
commander in chief of his Majesty's for-
ces in North America, for expences in-
curred by the agent for Indian affairs in
the southern department; likewise bills
for other incidental expences, &c.

Total £. 30252 19 5¼

THOMAS GAGE.

Lift of Warrants granted by his Excellency General Gage, for the extraordinary Expences of his Majesty's
Forces in North America, between the 1st of April and the 30th of June, 1775.

For what Purposes.

In whose Favour.

Upon whom drawn.

Sterling.

£. s. d.

1000 0 0

1775.

Apr. 5. Thomas Barrow, Esq. de-
puty pay-master at New
York.

Mr. Wm. Forman,
pay-master to the
engineers depart.

Being to enable him to pay off the present
outstanding bills and accounts, and an-
swer any further demands that may be
made on him for the expences of his Ma-
jesty's works in the commanding engi-
neer's department.

A. 1776.		D E B A T E S.	
Thomas Barrow, Esq. deputy pay-master at New York.	Richard Yates, attorney to John Sheart, Esq.	500 0 0	Being for half a years salary due to Mr. Steuart, his Majesty's sole agent and superintendant of the affairs of the several nations of Indians, inhabiting the frontiers of Virginia, North and South Carolina, East and West Florida, and their confederates, from 5th of October, 1774, to 4th of April, 1775.
10. John Garnier, Esq. deputy pay-master at Boston.	Tuthill Hubbert, deputy pay-master.	73 17 5	Being for postage of letters and packets on his Majesty's service, to the commander in chief, his secretary, aids de camps, deputy adjutant general, and deputy quarter master general, from 6th of January to 5th of April, 1775.
Ditto.	Fran. Hutcheson, Esq.	92 13 6	Being expences in the secretaries office at New York, between 1st of July and 30th of September, 1774.
12. Ditto.	Capt. John Montreson, commanding engineer.	5988 15 4	Being for expenditures in the engineer's department, for the use of his Majesty's troops in the province of Massachusetts Bay, from 25th of December, 1774, to 24th of March, 1775.
13. Thomas Barrow, Esq. deputy pay-master at New York.	Guy Johnson, Esq. acting agent and superintendant of Indian affairs in the northern district.	2524 10 4 $\frac{3}{4}$	Being for fundry disbursements on account of the Indians of the Six Nations and others; and for a half years salary, due to the superintendant, his officers, smiths, interpreters, surgeons, &c. from 25th of September, 1774, to 24th of March, 1775.
Carried over		10179 16 7 $\frac{3}{4}$	

<i>Dates.</i>	<i>Upon whom drawn.</i>	<i>In whose Favour.</i>	<i>Sterling.</i>			<i>For what Purposes.</i>
			<i>£.</i>	<i>s.</i>	<i>d.</i>	
1775.		Brought over	101	79	16 7 $\frac{3}{4}$	
Apr. 17.	John Garnier, Esq. deputy pay-master at Boston.	Mr. William Salisbury.	27	6	0	Being his pay as signal man, and returning officers of all vessels passing by his Majesty's fortresses of Castle William, in the province of Massachusetts Bay, from 16th of October, 1774, to 15th of April, 1775.
	Ditto.	Samuel Kemble, Esq.	200	0	0	Being an account of expenses incurred in the secretary's office.
20.	Ditto.	William Burbeck.	36	8	0	Being his pay as store-keeper of his Majesty's fortresses of Castle William, in the province of the Massachusetts Bay, from 16th of October, 1774, to 15th of April, 1775.
	John Powel, Esq. deputy pay-master at Quebec.	Col. Val. Jones.	1217	2	0	Being for expenses of some works and repairs, carried on in the engineer's department through the province of Quebec, between 1st of January, 1773, and 30th of September, 1774.
	Ditto.	Ensign John Hay, acting assistant, deputy quarter-master gen.	1590	8	8 $\frac{3}{4}$	Being the amount of expenses incurred in the quarter-master general's department, in the district of Montreal, for transporting stores and provisions to the upper posts, marching of troops and other contingencies in said department, from 25th of June to 24th of December, 1774.
22.	John Garnier, Esq. deputy pay-master at Boston.	Jon. Mallet, Esq.	34	15	8	Being for expenses attending his Majesty's Hospital medicine store at New York, and Boston, from 25th of December, 1773, to 24th of December, 1774.

Col. James Robertson,
Barrack-master ge-
neral.

Being the expence of supplying his Majesty's troops, quartered at Castle William, Boston, with fuel, candles and furniture, agreeable to the regulations observed in the barracks, provided by his Majesty, from 1st of January to 31st of March, 1775.

Ditto.

4558 II 5 $\frac{1}{2}$

Being the amount of barrack expences at
Boston, from 1st of January to 31st of
March, 1775.

May 3. Ditto.

Maj. William Sherriff,
deputy quarter mas-
ter general.

Being for one years allowance of forage money, to the general and staff officers of the army in North America.

31. Ditto.

Ditto.

7488 15 0

Being for baggage, batt, and forage money,
paid to the army serving in North Ame-
rica.

26. Ditto.

Lieutenant Colonel
Thomas Bruce, 65th
regiment.

240 8 0

Being to provide the men of 65th regiment with a quantity of necessaries, who by the destruction of their barracks by fire on 17th instant, have lost all they had, whereby they are almost naked and rendered incapable of service, and unable to provide themselves.

31. Ditto.

Fran. Hutcheson, Esq.

92000

Being his pay as acting brigade major, from 29th of November, 1774, to 31st of May, 1775.

Carried over £.

27930 8 6.

ates.	Upon whom drawn.	In whose Favour.	Sterling. £. s. d.	For what Purposes.
1775.		Brought over	279 30 8 6	
June 10.	Thomas Barrow, Esq. deputy pay-master at New York.	Samuel Holland, Esq. }	33 15 0	Being for the pay of 14 men under the direction of Samuel Holland, esq. surveyor general of lands for northern district of North America, from 25th of January, to 24th of April, 1775.
12.	John Garnier, Esq. deputy pay-master at Boston.	Lieutenant Col. Alan Maclean. }	560 0 0	Being on account of the contingencies of the army in America, and paid by order of the lords commissioners of his Majesty's treasury.
	Ditto.	Ditto.	179 11 0	Being for 63 days pay due to himself, his clerk, major Donald MacDonald, John Grant, and captain Murdock Maclean, from 10th of April to 11th of June, 1775 inclusive, the same being paid by order of the lords commissioners of his Majesty's treasury.
28.	Ditto.	Daniel Chamie, Esq. } Commissary gen. }	2267 5 8	Being moneys due to deputy commissaries, coopers, labourers, and other incidental charges, incurred at the several posts in the commissary general's department, from 25th of March to 24th of June, 1775.
30.	Ditto.	Jon. Mallet, Esq. purveyor of his Majesty's hospital at Boston. }	150 0 0	Being for forage money to the staff officers of the hospital.

Total £. 31121 0 2

THOMAS GAGE.

A. 1776.
Lift of Warrants granted by his Excellency General Gage, for the extraordinary Expences of his Majesty's Forces in North America, between the 1st of July, and 30th of September, 1775.

Dates.	Upon whom drawn.	In whose favour.	Sterling.		For what purposes
			£.	s. d.	
1775, July 1.	John Garnier, Esq. deputy pay-master at Boston.	Capt. John Stanton,	12	4 0	Being 61 days for six private men acting as serjeants, and six more acting as corporals to a detachment of his Majesty's 14th regiment of foot, doing duty at Castle-William, and to which detachment it became necessary to appoint non-commissioned officers, as it was not possible to procure them from the regiment, from the 25th of June to the 24th of August, 1775.
3. Ditto.		Col. James Robertson, barrack-master general.	365	10 1	
4. Ditto.		Ditto.	3585	14 11	Being the expence of supplying his Majesty's troops, quartered at Castle-William, near Boston, with fuel, candles and furniture, agreeable to the regulations observed in the barrack provided by his Majesty, from 1st of April to 30th of June, 1775.
5. Ditto.		Ditto.	1919	0 0	Being the amount of barrack expences at Boston, from the 1st of April to 30th of June, 1775.
7. Ditto.		Mr. John Mallet.	34	10 0	Being the expence of supplying the barracks at the several garrisons in North America, with fuel and candles, officers lodging and bedding, and sundry contingent expences, in the barrack-master general's department, from the 1st of April to 30th of June, 1775.
		Carried forward, £.	5916	19 0	Being his pay, as surgeon's mate to his Majesty's hospital in Boston, from 25th of December, 1774, to 11th of May, 1775.

Dates.	Upon whom drawn.	In whose favour.	Sterling.		For what purposes.
			£.	s. d.	
1775.	July 15. John Garnier, Esq. deputy paymaster in Boston.	Brought over, Samuel Kemble, Esq. }	5916	19 0	} Being for fundry bills drawn upon the commander in chief of his Majesty's forces in North America, for expences incurred by the agent for Indian affairs in the southern department; likewise for other incidental expences, &c.
17. Ditto.	Mr. Geo. Brinley, attorney to Mr. John Cockran.	}	90	10 0	} Being 181 days pay due to Mr. John Cockran, as commandant of his Majesty's forces of Fort William and Mary, in the province of New Hampshire, from 1st of January, to 30th of June, 1775.
20. Ditto.	Hon. Maj. Gen. Wm Howe.	}	500	0 0	} Being equipage-money allowed as major-general on the American staff.
Ditto.	Major General Henry Clinton.	}	500	0 0	} Ditto.
Ditto.	Major General John Burgoyne.	}	500	0 0	} Ditto.
22. Ditto.	Capt. Edward Kane.		57	10 0	} Being 230 days pay due to him as town major of Boston, from December 22d, 1774, to July 9th, 1775.
31. Ditto.	Capt. John Montreson.		11700	15 7	} Being for expenditures in the engineers department for the use of his Majesty's troops in the province of the Massachusetts Bay, from the 25th of March, to 24th of June, 1775.
Aug. 2. Ditto.	Maj. Wm. Sheriff, deputy quarter-master general.	}	16214	11 3	} Being the amount of expences incurred in the quarter-master general's department, for marching of troops, freight of transports, and other contingencies in said department, from 25th of December, 1774, to 24th of June, 1775.

A. 1776.

Aug. 5. John Garnier, Esq. deputy paymaster in Boston. } Being his allowance of ten shillings sterling per diem, from the 1st of January to 30th June, 1775. }
 15. Ditto. } Mr. Tuthill Hubbard. } Being for portage of letters and packets in his Majesty's service, to the commander in chief, his secretary, aid-de-camp, deputy adjutant general, and deputy quarter master general, from the 8th of April to 31st July, 1775. }

90 10 0
 50 1 10

D E B A T E S.

23. George James Williams, } Capt. Francis Marth, } Being to enable him to defray the expences incurred for the ordinary contingent military services at Halifax, from 25th Dec. 1774, to 24th June, 1775. }
 26. John Garnier, Esq. deputy paymaster in Boston. } Capt. John Stanton. } Being 61 days extra pay for six private men acting as serjeants, and six more acting as corporals, to a detachment of his Majesty's 14th reg. of foot, doing duty at castle William, and to which detachment it became necessary to appoint non-commissioned officers, as it was not possible to procure them from the regiment, from the 25th Aug. to 24th Oct. 1775. }

262 4 6 ³/₄
 12 4 0

Sep. 10. Thomas Barrow, Esq. deputy pay-master, New-York. } Sam. Holland, Esq. } Being for the pay of 14 men, under the direction of Samuel Holland, esq. surveyor general of lands for the northern district of North America, from the 25th April to 24th July, 1775. }

34 2 6

21. John Garnier, Esq. deputy paymaster, Boston. } Jonathan Mallet, Esq. } Being for expences attending the small-pox hospital-ship at Boston, from 23d Dec. 1774, to 30th April, 1775, both days included. }

44 1 11

Carried forward, £. 36905 3 9

<i>Dates.</i>	<i>Upon whom drawn.</i>	<i>In whose favour.</i>	<i>Sterling.</i>			<i>For what purposes.</i>
			<i>£.</i>	<i>s.</i>	<i>d.</i>	
Aug. 26.	John Garnier, Esq. deputy paymaster in Boston.	Brought over } Daniel Chamier, Esq. } commissary general.	36905	3	9	} Being monies due to deputy-commissaries, coopers, labourers, and other incidental charges incurred at the several ports in the commissary-general's department, from 25th of June, to 24th September, 1775.
			1241	4	8	
22.	George James Williams, deputy pay-master, Halifax.	His Excellency Francis Legge, Esq. }	256	4	0	} Being one month's advance wages to a number of artificers and seamen employed in his Majesty's service, as per account.
30.	John Garnier, Esq. deputy pay-master, Boston.	Samuel Kemble, Esq. }	1539	9	3 $\frac{1}{4}$	
						Being for sundry bills drawn upon the commander in chief of his Majesty's forces in North America, for expenses incurred by the agent for Indian affairs in the southern department, likewise for other incidental expenses, &c.
Ditto.		Mr. Wm. Porter, deputy commissary of musters.	29	7	0	Being for charges attending horses, boats, guides, &c. incurred in travelling 497 miles, in mustering his Majesty's forces in the northern district of America, for the year 1775.
30.	Ditto.	Capt William Sutherland.	24	0	8	} Being his pay for doing his duty as quartermaster to the corps of grenadiers serving in North America, from the 4th of June, to the 14th of September, 1775, both days included, being 108 days, at 4s. 8d. per diem.
Ditto.		Hon. Josiah Edson, John Murray, Elijah Willard, Richard Lechmore, Nathaniel Hatch, Foster Hutchinson, William Brown, and Joshua Loring, Esqrs.	800	0	0	
						Being an allowance made to them in consequence of his Majesty's orders.

A. 1776.

Jonathan Mallet, Esq. } Being monies due to him for the expenses
 purveyor of his Ma- } attending his Majesty's hospital at Boston,
 jesty's hospital. } from the 9th of May, to the 30th of Sep-
 Ditto. } tember, 1775.
 } Being forage-money to the staff-officers of
 } the hospital in America.
 Col. James Robertson, } Being the expence of supplying the barracks
 } at the several garrisons in North Ameri-
 } ca with fuel and candles, officers lodging
 } and bedding, and sundry contingent ex-
 } pences in the barrack-master-general's de-
 } partment, from the 1st of July, to 30th
 } of September, 1775.
 } Being the amount of barrack expenses at
 } Boston, from the 1st of July, to the 30th
 } of September, 1775.
 } Being on account of expences incurred in
 } the secretary's office.
 } Being for baggage, batt, and forage-money
 } to the generals, their staff, and several
 } corps, joined since the 2d of May last.
 } Being for forage to the general and staff offi-
 } cers, and army.
 } Being an allowance made to them in conse-
 } quence of his Majesty's orders.

609 17 1 $\frac{1}{4}$
 148 10 0
 1808 0 0
 5139 13 2
 134 3 8 $\frac{1}{2}$
 9696 5 0
 9942 4 0
 200 0 0

Ditto.
 Ditto.
 Ditto.
 Ditto.
 Ditto.
 Ditto.
 Ditto.
 Samuel Kemble, Esq.
 Major William Sher-
 riff, deputy quarter-
 master general.
 Ditto.
 Hon. Timothy Rug-
 gles, and Daniel
 Leonard, Esqrs.
 counsellors of his
 Majesty's province
 of Massachusetts Bay

Ditto.
 Ditto.
 Ditto.
 Ditto.
 Ditto.
 Ditto.

Carried forward, 68474 3 4 $\frac{1}{2}$

<i>Dates.</i>	<i>Upon whom drawn.</i>	<i>In whose favour.</i>	<i>Sterling.</i>		<i>For what purposes.</i>
			<i>£.</i>	<i>s. d.</i>	
Sep. 30.	John Garnier, Esq. deputy pay-master, Boston.	Brought over, Capt. Oliver De Lancey.	68474	3 4½	Being the expences attending the purchasing troop-horses for the use of the 17th regiment of light dragoons.
	Ditto.	Capt. John Montreson, commanding engineer.	352	0 0	Being for expenditures in the engineers department, for the use of his Majesty's troops in the province of the Massachusetts Bay, from 25th of June, to 24th September, 1775.
	Ditto.	Mr. Robert Woolf.	9969	19 11¼	Being an allowance made to Capt. James Chads, commander of his Majesty's ship Cerberus, as a compensation for his extraordinary expences incurred for the passage of Major General's Howe, Burgoyne, and Clinton.
	Ditto.	Capt. Thomas Bishop, commander of his Majesty's ship Live-ly.	400	0 0	Being an allowance made him as a compensation for his extraordinary expence incurred for the passage of General Gage and family.
			100	0 0	
		Total £.	79296	3 4½	

THOMAS GAGE.

A. 1776.

Lift of Warrants granted by his Excellency Major General Howe, for the extraordinary Expences of his Majesty's Forces in North America, between the 1st of October and 31st of December, 1775.

VOL. III. *Dates.* *Upon whom drawn.*

In whose Favour.

Sterling.

For what Purposes.

1775.

Oct. 14. John Garnier, Esq. deputy } Ensign Pat. England, }
paymaster, Boston. } 5th regiment.

Ditto.

} Lieut. Robt. Christie, }
38th regiment.

Ditto.

Robt. Mackenzie, Esq.

Ditto.

} Major Thomas Smith, }
65th regiment.

24. Ditto.

John Phillips, Esq.

Nov. 6. Ditto.

Mr. Wm. Salisbury.

} Being his pay for doing the duty of quartermaster to the corps of light infantry serving in North America, from the 4th to 24th June, 1775, being 21 days, at 4s. 8d. per diem.

} Being his pay for doing the duty of adjutant to the corps of grenadiers serving in North America, from 4th June to 6th October, 1775, being 125 days, at 4s. per diem. Being on account of expences incurred in the secretary's office.

} Being his pay for doing the duty of major to the corps of grenadiers serving in North America, from 4th June to 31st July, being 58 days, at 5s. per diem.

} Being one year and 28 days pay due to him as fort major of the fortrefs of Castle-William, in the province of Massachusetts Bay, from 11th September, 1774, to 8th October, 1775, both days inclusive, at 100l. per annum.

} Being his pay as signal-man and returning officer of all vessels passing by his Majesty's fortrefs of Castle-William, in the province of Massachusetts Bay, from the 16th of April, to 15th October, 1775, being 183 days at 3s. per diem.

Carried forward £.

279 10 5

Dates.

Upon whom drawn.

In whose Favour.

Sterling.

For what Purposes.

1775.

Nov 21. John Garnier, Esq. deputy paymaster, Boston.

Brought over
Jonathan Mallet, Esq.
director of the hospital.

£. s. d.

279 10 5

Being for the pay of the established mates, storekeeper of medicines, and surgery-man of his Majesty's hospital at Boston, from 11th of February to 30th September, 1775.

24. Ditto.

Hon. Nathaniel Bay
Thomas, one of his
Majesty's council
for the province of
Massachusetts Bay.

100 0 0

Being an allowance made to him in consequence of his Majesty's orders.

Dec. 11. Ditto.

Capt. Thomas Cock-
ram of his Majesty's
23d regiment, or
Royal Welsh Fu-
zileers.

13 0 0

Being for his pay for doing the duty of adjutant to the corps of grenadiers serving in North America, from the 7th of October to the 5th December, 1775, being 60 days, at 4s. per diem.

13. Ditto.

Major Wm. Shirreff,
deputy quarter-mas-
ter general.

1275 14 6

Being for baggage, batt, and forage-money, to the general and staff officers, and army in North America.

15. Ditto.

Mr. Wm. Salisbury.

9 0 0

Being his pay as signal-man and returning officer of all vessels passing by his Majesty's fortresses of Castle-William in the province of Massachusetts Bay, from 16th October to 14th December, 1775, being 60 days, at 3s. per diem.

28. Ditto.

Jonathan Mallet, Esq.
purveyor, Michael
Morris, and Richard
ard Veale, physici-
ans; Alex. Grant,

PARLIAMMENTARY

A. 1776.

A. 1776.

D E B A T E S.

465

and Robt. Roberts, }
 surgeons; George }
 Brown, and Mich. }
 Croker, apotheca- }
 ries to his Majesty's }
 hospital at Boston. }

1209 10 0

Mr. William Bruce.

Being his pay as extra physician to his Ma-
 jesty's hospital in Boston, from the 10th of
 August, to 31st December, 1775, being
 144 days, at 20s. per diem.

144 0 0

Being his pay for doing the duty of quar-
 master to the corps of light infantry serv-
 ing in North America, from 25th June
 to 31st December, 1775, being 190 days,
 at 4s. 8d. per diem.

44 6 8

Lieut. John M'Ken- }
 non, of 17th reg. }

Being his pay for doing the duty of adjutant
 to the corps of light infantry serving in
 North America, from 4th June, to 31st
 December, 1775, being 211 days, at 4s.
 per diem.

42 4 0

Lieut. Thomas Walsh, }
 of 23d, or Royal }
 regiment of Welch }
 Fuzileers. }

Being his pay as commandant of his Maje-
 sty's fortrefs called Fort William and Ma-
 ry, in the province of New Hampshire,
 from 1st July, to 31st December, 1775, be-
 ing 184 days, at 10s. per diem.

92 0 0

Mr. Geo. Cockran.

Being monies due to deputy commissaries,
 coopers, labourers, and other incidental
 charges, incurred at the several posts in the
 commissary general's department, from the
 25th September, to 24th December, 1775.

2228 1 3 $\frac{1}{4}$

Dan. Chamier, Esq. }
 commissary general }
 of stores and provi- }
 sions. }

5270 17 4 $\frac{1}{4}$

Carried forward £.

31. Ditto.

Ditto.

Ditto.

Ditto.

Ditto.

Dates.	Upon whom drawn	In whose favour.	Sterling.	for what purposes.
1775.	Dec. 31. John Garnier, Esq. deputy paymaster, Boston.	Brought over,	£. s. d.	
		Lient. Robt. Lindsey, } 22d regiment. }	5270 17 4 $\frac{1}{4}$ 204 16 6	
Ditto.		Mr. Crean Brush.	46 0 0	Being for the pay of a company of labourers and negroes employed under his direction, by order of the commander in chief, between 16th September, and 30th December, 1775.
Ditto.		Lieut. John Campbell, } 44th regiment. }	6 4 0	Being his pay for taking and receiving into his care, all such goods, chattels, and effects, as may be delivered into his charge by the owners leaving the town of Boston, from the 1st October, to 31st December, 1775, being 92 days, at 10s. per diem.
Ditto.		Lieut. John Erasmus } Adlam, 40th reg. }	24 8 0	Being his pay for doing the duty of adjutant to the corps of light infantry serving in North America, from 24th November, to 24th December, 1775, being 31 days, at 4s. a day.
Ditto.		Jonathan Mallet, Esq. } purveyor of the hospital. }	138 2 6	Being for the pay of the established mates and furgery-man of his Majesty's hospital in Boston, from 1st October, to 31st December, 1775.
Ditto.		Mr. Miles Whitworth.	47 15 0	Being for his attendance to the sick and wounded prisoners in gaol, from 17th June, to 24th December, 1775, being 191 days, at 5s. a day.
Ditto.		Lieut. John Powell, } 49th regiment. }	32 15 0	Being his pay for doing the duty of adjutant to the corps of grenadiers serving in North America, from 25th July, to 31st December, 1775, being 160 days, at 4s. a day.

A. 1776.

D E B A T E S.

467

Ditto.	Major Wm. Shirreff.	92 0 0	Being his allowance 10s. sterling per day, from 1st July to 31st December, 1775, inclusive, in consequence of his Majesty's orders.
Ditto.	Lieut. John Howse, } 38th regiment. }	25 4 0	Being his pay for doing the duty of quartermaster to the corps of grenadiers serving in North America, from 15th September to 31st December, 1775, being 108 days, at 4s. 8d. per diem.
Ditto.	Major William Shirreff, deputy quartermaster general. }	28066 12 10	Being the amount of expences incurred in the quartermaster general's department for marching of troops, freight of transports, and other contingencies in said department, from 25th June to 24th December, 1775.
Ditto.	Brigadier gen. James Robertson, barrackmaster general. }	1884 0 0	Being the expence of supplying the barracks at the several garrisons in North America, with fuel and candles, officers lodging and bedding, and sundry contingent expences in the barrackmaster general's department, from 1st October to 31st December, 1775.
Ditto.	Ditto.	11994 1 10	Being the barrack expences at Boston and Castle William, from 1st October to 31st December, 1775.
Ditto.	Captain John Smith, Dan. Disney, Wm. Brown, Benjamin Barker, and lieutenant William Leslie. }	401 10 0	Being their pay for doing the duty of brigademajors, between 1st July and 31st December, 1775.
Ditto.	Captain Wm. Handfield, lieutenants, Henry Marr, and Richard Bailey. }	78 10 0	Being their pay for doing the duty of assistant deputy quartermasters general, from 1st July to 31st December, 1775.

Carried over £. 48761 2 0¹/₄

Dates.	Upon whom drawn.	In whose Favour.	Sterling.	£.	s.	d.	For what Purposes.
1775.		Brought over,	48761	2	0	$\frac{1}{4}$	Being his pay as town major of Boston, from 10th July to 31st December, 1775, being 175 days, at 5s. per diem.
Dec. 31.	John Garnier, Esq. deputy paymaster, Boston.	Capt. Jas. Urquhart.	43	15	0		Being monies due to him for the expences attending his Majesty's hospital at Boston, from 1st October to 24th December, 1775.
	Ditto.	Jonathan Mallet, Esq. purveyor of the hospital.	222	8	$1\frac{1}{2}$		Being for sundry contingent expences for his Majesty's service at Castle William, from 1st July to 31st December, 1775.
	Ditto.	Honourable lieutenant colonel Alex. Leslie.	55	9	6		Being for expeditures in the engineers department at Boston, from 25th September to 31st December, 1775.
	Ditto.	Capt. John Montre- for, commanding engineer.	22498	6	5		Being for expences attending the lighting of lamps in the town of Boston, and for removing the poor of the alms house, by order of his excellency general Gage.
	Ditto.	Capt. James Urquhart, town major of Bos- ton.	135	9	$6\frac{3}{4}$		Being for expeditures in the town major's department.
	Ditto.	Ditto.	108	0	$10\frac{1}{2}$		Being for forage money to the staff officers of his Majesty's hospital at Boston.
	Ditto.	Jonathan Mallet, Esq. purveyor of the hos- pital.	24	15	0		Being his pay for doing the duty of deputy judge advocate in North America from 1st July to 31st December, 1775, being 184 days, at 5s. per diem.
	Ditto.	Stephen Payne Adye, Esq.	46	0	0		Being his pay as town adjutant of Boston from 21st October to 31st December, 1775, being 72 days, at 2s. per diem.
	Ditto.	Lieutenant William Ramfay.	10	16	0		

Ditto.

Mr. John Wright.

2 11 0

A. 1776.
Being his pay as signal man and returning officer of all vessels passing by his Majesty's fortresses of Castle William, in the province of Massachusetts Bay, from 15th to 31st December, 1775, being 17 days, at 3s. a day.

Ditto.

Mr. Jos. Goldthwait.

52 0 0

Being his pay as storekeeper of his Majesty's fortresses of Castle William in the province of Massachusetts Bay, from 16th April to 31st December, 1775, being 260 days, at 4s. per diem.

Ditto.

Pelham Winflow, Esq.

22 15 8

Being for two months and twenty-three days pay due to him as fort major of his Majesty's fortresses of Castle William, in the province of Massachusetts Bay, from 9th October to 31st December, 1775, at 100l. per annum.

Ditto.

Mr. William Slater.

23 0 0

Being his pay as captain of the port of Boston, from 1st October to 31st December, 1775, being 92 days, at 5s. a day.

Ditto.

Mr. Wm. Cunningham.

50 0 0

Being his pay for doing the duty of provost martial, from 15th June to 31st December, 1775, being 200 days, at 5s. per diem.

Carried over £. 720 56 9 2 $\frac{1}{4}$

D E B A T E S.

Dates. *Upon whom drawn.* *In whose favour.* *Sterling.*
£. *s.* *d.*

1775. Brought over, 72056 9 2 $\frac{3}{4}$

{ Capt. John Webfter,
 { John Smith, An-
 { thony Botet, Joſeph
 { Ferguſon, James
 { Cockburne, Wm.
 { Croſbie, William
 { McLean, Duncan
 { Cameron, Henry
 { Mar, William Gore,
 { William Brown,
 { James Stewart, and
 { lieutenant Francis
 { Jones.

Dec. 31. John Garnier, Eſq. deputy
 paymaſter, Boſton.

615 16 6

{ Captains, John Smith,
 { Anthony Bolet,
 { James Cockburne,
 { William Croſbie,
 { Alexander Roſs,
 { Hen. Munro, James
 { Stuart, John Mac-
 { kay, lieutenants,
 { Charles Handfield,
 { William Leſlie, and
 { Francis Jones, pay-

1567 16 5 $\frac{1}{2}$

Ditto.

Being bounty money for 391 draughts from
 the 18th and 59th regiments, into the
 4th, 5th, 10th, 23d, 35th, 38th, 40th,
 43d, 47th, 49th, 52d, 63d, and 64th re-
 giments, at 31s. 6d. each.

Being to enable the reſpective paymaſters to
 pay without loſs by exchange to the non-
 commiſſioned officers and ſoldiers, his Ma-
 jeſty's bounty, remitting to them ſtoppages
 made for ſurgeons, paymaſter, and for
 poundage from 25th June to 24th Decem-
 ber, 1775.

masters of his Majesty's 5th, 10th, 22d, 35th, 38th, 44th, 45th, 47th, 63d, 64th, and 65th regiments of foot.

Captain John Webster, Joseph Ferguson, William Maclean, Duncan Cameron, William Gore, and William Brown, paymasters of his Majesty's 4th, 23d, 40th, 49th, and 52d regiments of foot.

Rob. Mackenzie, Esq.

835 16 0 $\frac{1}{4}$ Ditto.

870 15 5

Being for fundry bills draw upon the commander in chief of his Majesty's forces in North America, for expenses incurred by the agent for Indian affairs in the southern district, likewise bills for other incidental expenses, &c.

Total £. 75946 13 6 $\frac{3}{4}$

WILLIAM HOWE,
Commander in chief.

March 27.

Mr. Burke.

Mr. *Burke* moved for leave to bring in a bill “to prevent the inhuman practice of plundering ships wrecked on the coast of Great Britain; and for the further relief of ships in distress on said coast.” He said, he thought something ought to be done to prevent such shameful and horrid practices as had been frequently committed on the several coasts of this kingdom, scarcely a winter passing but our public prints contained accounts which were a disgrace to any civilized country; such matters ought not to pass unnoticed and unpunished. He said, that commercial countries, particularly this, which prided itself so much on its national honour, should take care to do every thing possible in its power to discourage such outrageous proceedings.

Lord Mayor.

The Lord Mayor [Mr. Sawbridge] opposed the motion. He thought the remedy would be worse than the disease; that the laws in being were sufficient, if well executed; and observed, that the same bill had been brought in last session, but after it was read a second time, was, in his opinion, very properly thrown out.

Lord Mulgrave.

Lord *Mulgrave* said, he had no objection to the bill. He thought some remedy ought to be applied to prevent an evil which must be a disgrace to any country where it was permitted; but he doubted of the efficacy of any law brought in on the plan now proposed.

Mr. Rashleigh.

Mr. *Rashleigh* said, he lived near the sea-coast, where such melancholy accidents, he was sorry to say, too frequently happened; yet he could affirm, from his own knowledge, as well as by every thing he could learn concerning the matter, that the plundering ships was generally prevented by the assiduity and exertions of the neighbouring gentlemen.

Mr. Rice.

Mr. *Rice* said, the laws in being were sufficient to prevent the mischief, and no new law would answer any effectual purpose, if the gentlemen of property and consequence in the neighbourhood were remiss in their duty.

Sir Grey Cooper.

Sir *Grey Cooper* said he would vote for the motion, because, if negatived, it would have a very strange appearance in the votes, that a bill bearing such a title should be stopped in the first instance, but desired it might not be understood that he meant to vote for or support the bill after it was brought in.

Sir G. Yonge

Sir *George Yonge* said, he lived in a maritime county, and insisted the execution of the present laws depended on the

magistrates; wherever any injury therefore was sustained, it was owing to their neglect; hence it followed, that framing new laws, without ensuring their punctual execution, was doing nothing.

Mr. *Burke* said, it seemed very extraordinary, that the first magistrate of the first trading city in the world, should oppose a bill designed to protect the property of persons concerned in trade and commerce. He hoped, however, before the matter was further pursued, that gentlemen would rise, declare their sentiments, and take a decided part. For his part, he had no particular reason for pushing such a law. It is true, he thought it might be of service, but if the House disapproved of it, there his task ended, and he should cheerfully acquiesce in whatever it determined. He entreated, therefore, that gentlemen would speak out, and not permit the bill to be brought in, merely for an opportunity to throw it out, after trouble and time had been spent in framing and bringing it in. The question being put, the bill was ordered in by a majority of 56 to 13.

March 28.

No debate; thin House.

March 29.

No debate; only 36 members.

Adjourned to *April 1.*

April 1.

Lord *North* moved for leave to bring a bill to authorize, *Ld. North.* for a time to be limited, the punishment by hard labour of offenders, who for certain crimes are now liable to be transported to any of his Majesty's colonies and plantations.

Mr. *J. Johnstone* said, he saw no reason why felons might not be sent to the West India islands, or to Falklands island; but he forgot, for he supposed a pusillanimous administration, who had betrayed the honour and character of this country, to every petty, shabby state in Europe, and reserved all their spirit for the purpose of oppressing and massacring their fellow-subjects in America, probably in the prevailing rage of ministerial cringing and subsidizing, had given up that island, which cost this nation some millions, by private agreement to Spain. The motion was agreed to, and a bill ordered in. *Mr. J. Johnstone.*

Mr. *D. Hartley.* The noble Lord, who presides in the department of the revenue, having announced to the House, that he intends to lay the state of the nation before us on *Mr. D. Hartley.*

the first day of business after the recess; I hope that it will not appear foreign to that purpose, if I suggest to them the necessity of some proper materials being laid upon the table, by the help of which we may be better prepared to enter upon so important a discussion. The state of the national revenue and expenditure, together with the sufficiency or insufficiency of the national powers, are very properly termed by the very noble Lord, to be the state of the nation. It is a subject of such infinite importance, that I need make no apology to the House, in the present state of things, for recommending a prudent forecast of the ruinous consequences, which must inevitably attend the civil war with our colonies, into which this nation is so blindly and precipitately driven by its ministers. The enormity of the expence, which I shall endeavour to explain to you under the several branches this day, is but the least part of the evil. Even what administration would call success, would be more irrecoverable ruin, by destroying the very source of wealth and strength to this country, than almost any anticipation of the revenue in the first instance.

These are matters of such importance, that I should think myself highly criminal, and a deserter of the trust reposed in me as a member of Parliament, if I did not offer to the House, with great deference, such materials and information as have fallen in my own way, in the course of my best endeavours to obtain information for myself, on the subject of the public revenue. Reposing myself upon that candour of the House which I have so often experienced, I will endeavour to state a few plain facts and plain consequences, without partiality or bias, without respect of persons, and without fear or favour.

It is so much the more necessary that we should come to some explicit understanding of these matters, as the most profound secrecy and concealment have been practised to keep alarming truths from the public eye, and false pretences have been thrown out to amuse the credulous confidence of this House. It is not many months ago, (no longer than the last session) that any member, who got up to warn you of the serious and fatal consequences of the war then recommended against America, was laughed at in his place; the very suggestion was treated as being so ridiculous, that the minister proposed to you to begin by disarming; by voting four thousand seamen less than you had kept the year before; and not many days after the meeting of

of the new Parliament, a vote of a three shilling land-tax was proposed, with a view to soothe the landed men into a confidential compliance with the measures of administration, and into the adoption of this fatal war. That this step was taken with no other view than to quiet and to prevent the alarms of the landed interest is past dispute, because the vote for the three shilling land-tax was passed before Christmas, though the bill was not brought in till after the holidays; the vote therefore was studiously thrown out beforehand, to prevent the discontents that might happen, and to mislead the public into a fallacious dependence, that a few superficial and unimportant discontents in America, as they were then represented to be, would soon be subdued. Under this deception, the landed gentlemen in this House have been trepanned by every artifice, and the public out of doors have been way-laid by every insidious practice to induce them to acquiescence, in the dependence that ministry would guarantee their country against the evils only suggested by groundless fear. Where are we now? Have not our forebodings been more than realized? Has it been arrant folly in administration, to plunge us into our present situation? or, has it been downright treachery afore-thought, to lead their unsuspecting country, step by step, into an irreconcilable civil war, to dip Great Britain and America in blood, and to cut off the retreat to peace and safety?

Which ever be the case, the administration have now at least forfeited all claim to the confidence of this House and of the public. We are now told, with great composure, by those very men who but a few months ago, laughed to scorn every foreboding word of prudence, that the whole power of this country is unequal to the undertaking; and that however reasonable it might have been last year to have foreseen the immensity of the war, yet that Parliament in the last session would not have been disposed to have granted more expensive aids, and therefore that no more were then applied for: but that we are now dipt in, and must wade through. If an army of fifty thousand men, and one hundred ships of force, are now found necessary, the word to Parliament is, you must go through, there is no retreat: it must be done. Every corner of the three kingdoms is to be ransacked for recruits; every power in Europe is to be solicited for mercenary aid; every trading vessel heretofore employed in the American commerce, is now destined to transport the means of destroying the commercial wealth of Great Britain,

Britain, and all the sources of its naval empire. The noble lord has announced to us, that he will, upon the 19th of this month, lay before us the most speedy and effectual way of accomplishing these important objects; and that is what, I presume, he calls, laying before us the state of the nation.

As I wish the public may no longer be deceived, but that they may be put into possession of the real state of facts, and of the probable expectation of consequences, I shall offer to the House some motions for the proper materials to be prepared and laid before us, to be our guide and assistance in forming our judgment and decision. The three great branches of national expence are, the navy, the army, and the ordnance; and each of these branches is divided into two parts, *viz.* expences which are voted upon specific estimates, and extraordinary expences which are incurred every year in the three services, partly at the discretion of the respective commanders, and partly at the discretion of the ministry in their several departments. These extraordinaries in former times were kept within narrow bounds, but of late years they are grown to an enormous amount, almost equal to the expences voted in each service upon estimate; which latitude, thus negligently and tacitly allowed to ministers in dispensing the public purse, has been, and I fear will continue to be, the cause of a most ruinous waste of the public revenue. As to the present year, the House have before them all the expences of the American war, which have been formed into specific estimates: but the unmeasurable part of the expence will be in the secret and hidden class of extraordinaries, left to the unrestrained discretion of ministers, commanders, commissaries, and contractors. The House and the public are amused with nominal estimates, while this bottomless gulph is opened behind us, and not to be satiated but with the last farthing. If experience can teach us wisdom, it is high time that we were possessed of it. This chaos of extraordinaries may, doubtless, be reduced to some reasonable shape of computation. Ministers will hardly tell this House seriously, that they have not the least measure of what they recommend or undertake; nor, I think, would it be very decent for them to come in the next session with a boundless demand of debts incurred upon the confidence which we are now desired to repose in them, and to tell us then, we foresaw all these

these expences, but we concealed them carefully from you, that we might lead you insensibly on.

Then let us forecast the account now.---I shall begin with the navy. The motion which I shall make upon the subject of the navy is copied word for word out of the journals upon a former occasion, and a very accurate estimate was made in return, of the probable expence of the navy, article by article : Therefore I am sure the minister can give us this information, if he will.

My motion is, “ That there be laid before this House an estimate of the probable expence of his Majesty’s navy for the present year, distinguished under proper heads, upon the services voted by this House ; shewing also how far the said expence may probably exceed or fall short of the sums already voted for those services ; and also an estimate of the probable expence of transports and victualling during the present year.”

My second and third motions, respecting the extraordinaries of the army, and ordnance for land-service, are nearly to the same effect, *viz.*

“ That an estimate of the probable amount of the extraordinary services likely to be incurred by his Majesty’s land forces in one year, from March 9th 1776, be prepared, and laid before this House.”

“ That an estimate of the probable expence of the office of ordnance for land service, during the present year, over and above the provision already made in this session of Parliament, be prepared and laid before this House.”

These are the materials which, as it seems to me, are necessary for us to form our judgment upon. Many of them may be estimated with great accuracy ; and, from the experience and assistance of the official lights which the noble Lord has access to, he may give us a general view of the whole probable expence of the year. This is what I should call laying the state of the nation before us. By this time of the year, which is the month of April, you ought to have formed your plans. You cannot be ignorant of the number of ships which are destined for sea-service for this year. You know the complement of men for each rate ; therefore you may know by how many they will exceed the number of seamen voted by Parliament. In the forming such an estimate, the board of admiralty can give you a list of the seamen to be employed, the paymaster of the marines can send you the number of marines. The value of stores
con-

contracted for and to be purchased for ships, and building-yards, and rope-yards, ought to be minutely known, or else how is the navy to be provided? I will read you three or four principal heads of expence in the estimate of the navy, which was returned to this House on the 2d of May 1772, (and which is printed in the journals) upon the very identical motion that I offer to you now. Take them as a specimen that the estimates that I now ask for may be very methodically made out, unless you are determined to withhold every requisite information from this House.

Value of stores and materials contracted for and to be purchased for his Majesty's ships and yards.

Wages to inferior officers and workmen in his Majesty's several dock-yards, &c.

Value of stores and materials, for the use of the several rope-yards.

Wages to seamen, calculated upon the list received from the admiralty, of ships to be employed at sea in the course of the year.

Value of provisions to be purchased, &c. &c.

These are enough for a specimen; the farther distribution of the heads of naval estimates may be seen in the original paper itself in your journals.

Let us know what we are doing. What is it that you cannot compute? Have you not made provision for stores and materials necessary to careen, repair, and refit your fleet at Halifax? or, if that place should fall into the hands of the Provincials, have you made no supplemental provision for the safety of the navy at the distance of three thousand miles? Let us have the option, whether we will seek our safety (more frugally at least) by a timely reconciliation with the once hospitable shore of America, or upon the dependence of some wild estimates of administration, made for commissaries and contractors; or, which is most probable, must we patiently stand by the consequences of their total neglect of every prudent and necessary precaution?

As for the extraordinaries of the land-service, some estimate may likewise be made of them, as well as of the naval extraordinaries; or, how are they to be provided for? What else is to guide administration in the execution of their own plan? Does not general Howe inform the administration from time to time what necessaries he may stand in need of? His general letters of requisition during the

last campaign are now lying upon the table ; and the noble Lord has told us, that the ministry do from time to time receive letters of more explanatory detail, according as he foresees such or such necessary services. Look at the bill of extras for the last year : are they not classed methodically into heads, of *Supply to the forces at Boston---at Montreal---Quebec, &c.---Cloathing and accoutrements---Forage---Live-stock---Vegetables---Beer, &c. &c.* Have you calculated any of these, to reduce them within some estimable compass ? or do you merely hold out your measure to the ruinous profusion of commissaries, and the merciless avidity of contractors ?

The last estimate of extraordinaries that I apply for, is from the board of ordnance. Will you tell us, that they are still at a loss for their computation ? Is their powder not yet shipped ? Are their guns not yet cast ? Are their scaling-ladders not yet made ? Are their baggage-waggons not yet built ? Give us the best account you have ; if it be but an estimate of the waggons which were reviewed the other day by the master-general of the ordnance in Portman-square.

You may give plain and direct answers to these enquiries, if you mean well : It is not a captious or perplexing estimate that I ask for, to an ounce of powder, or a gun-lock, or a hand-spike, I speak upon the scale of millions. You either cannot give these estimates, or you will not. If you will not, speak out, that we may know what we have to depend upon. If you acknowledge that you cannot, then will you dare to undertake the conduct of that war of which you confess your own inability to form even an idea or an estimate ? Will this House, will the public at large, commit a proposed armament of thirty, forty, or fifty thousand men, with a hundred ships of force, at the distance of three thousand miles and upon a line of action of fifteen hundred, with the national honour at stake, to the hands of those men, who profess their inability to form any estimate but for the emolument of commissaries and contractors ?

If the minister will condescend to lay the true state of the nation fully before Parliament, the question will then be fairly before this House and the public, whether they will, with their eyes open, enter into a civil war, which in any event must feed upon, and exhaust every vital source of this country, at the certain expence of ten or twelve millions for this year ? Whether they will double that expence in the next

campaign? And whether they will, in a third year, commit themselves, helpless, exhausted, and defenceless, to the mercy of France or Spain, and of every power in Europe that can build its future prosperity upon our ruin? Have we forgot that it was the discontent of taxes and anticipations in the last war that brought us down, when in the full career of victory over the hereditary enemies of this country, to become the humble suitors of a timid peace? That it was this want of forecast in the day of our then prosperity, which has entailed upon us that load of millions which both then and since have severely served to quicken the sense of humiliating restitutions, and the regret of victories wantonly thrown away? --- Then let us be wiser now. The estimates that I call for are not only in the highest degree necessary, but perfectly practicable. To tell us, that the precedent from which I take my example, of the naval estimates delivered in 1772, was in the time of peace, is only saying, that it was less necessary then than it is now. My only reason for making this motion now is, because we are not at peace. Nor can the wisest of us all foresee the day, if you proceed a single step farther in these fatal measures, when this country may return to peace again.

I have now explained to the House the substance and view of my motions for estimates, which I fear will not be complied with, as I see no token of consent, or of any disposition on the other side of the House, to depart from their customary secrecy and silence: If the noble Lord, with his better lights and superior abilities, will lay before us the proper estimates and information, my end will be answered. If not, I can only offer to the House (what I could not offer to them as an object of any attention but at a dead list) my poor services to hunt out these matters of inquiry, upon such lights as are not confined within the pale of official departments.

The whole extent of my proposition is this; either that the noble Lord would lay before this House the best evidence and information upon the case, by authentic estimates; or that he will allow me to offer my conjectural estimates, as a ground for the House to come to some safe opinion upon; or that he will give himself the trouble to point out in what parts he may think them materially erroneous.

Having no wish to misrepresent, and hardly room to exaggerate, I commit myself freely to the candour of the House in the investigation of those necessary points of information, in which we are not likely to receive any assistance from more
authentic

A. 1776.

D E B A T E S.

481

authentic estimates. I will endeavour to be as distinct and methodical as I can, at the same time trusting that the noble Lord will not cavil with me for little matters. Points of minute accuracy may be reserved for some other day. A few thousands more or less make no difference in my argument; I speak upon the scale of millions.

To bring the whole question into one point of view, we should state the following particulars:

First, The sums already voted upon estimate for the present year	£.	6157000
2dly, The sum remaining to vote upon estimate, computed at	-	750000
3dly, The probable excess of the expences of the navy, army, and ordnance, over and above the provisions already made, computed at	-	5300000

These three sums will make the total of the expence of 1776

12207000

To which we must add,

4thly, The amount of the present out-standing debts, viz.

Navy debt on 31 Dec. 1775	-	2698000
Exchequer bills	-	1250000
Civil list debt, as stated by Lord Stair	-	800000

4748000

Making a gross total of

16955000

Deducting from this total,

5thly, One year's produce of the ordinary revenue, computed at

4950000

The remainder unprovided for will then be

12005000

If the expence of the extraordinaries should exceed the proportion above stated, of which I can have no doubt, if this armament goes on according to its present train, just in the same proportion will this last unprovided sum of twelve millions and five thousand pounds be increased. To avoid the least imputation of aggravating matters, I have stated the extras of the three services at no more than five millions three hundred thousand pounds; and I desire that it may be remembered that this was my reason: We may compute the least possible sum, but the greatest possible amount is incomputable. I will not venture to say what that may be. This is the true state of the question in one view, without aggrava-

tion or colouring. Upon the balance of this year there will remain unprovided for, the sum of twelve millions, or perhaps a great deal more.

I will now enter, as shortly as I can, into the detail, to justify the estimates of the several articles as I offer them to the House; always remembering, as I said before, that I speak upon the scale of millions. The twelve millions, which I state as remaining unprovided for, may be fifteen millions; or, if it should possibly prove no more than ten millions, though the latitude seems very great, yet, in my opinion, the argument is not altered; for I hope that neither this House, nor the public at large, being apprized, and in their sober senses, would be reconciled to saddle themselves, at the end of this year, with an unprovided sum of ten millions, for a mere possible pittance of revenue from America, to be balanced by the certain destruction of national commerce, and even that poor possible pittance requiring to be collected and maintained by a perpetual standing force and civil war.

But to return to the articles of my estimate:

The first article is the amount of the sums already voted, being merely a summation of the articles as standing upon the votes, £. 6157000

The second article of estimates remaining to vote, stated at - - - - - 750000

I explain thus,

Militia to be embodied	-	500000
Sundry services	-	250000

Total £. 750000

As for the estimate of the militia, I have taken it from your journals during the late war. I do not know that it will be voted at all this year; but that it seems reasonable to suppose, that the ministry will not leave us unguarded at home, and because a special act has been passed this session to enable the King to do it. It is not to be expected that I should know whether the whole is likely to be called out, or only part, or what part or proportion; for I verily believe the ministry do not know themselves. As to the two hundred and fifty thousand pounds for sundry services, I include some estimates already lying upon the table unprovided for.---The deficiency of the funds of 1758---possibly some deficiency of the grants of last year---possibly some coinage expences---the rebuilding of Somerset-House, &c. &c.---So much for the first

first and second articles ; the third is that which requires the most discussion.

The total of the third article being - £. 5300000

I divide thus,

Naval extras	-	£. 2500000
Army extras	-	2500000
Ordnance extras	-	300000

Total £. 5300000

As for the naval extras, the single article of transport service and victualling, will go deep into two millions five hundred thousand pounds : there is an estimate which I have seen in print, drawn up by an experienced and able hand, of all the necessary attendances upon an army of thirty thousand men ; in that estimate, the necessary transports are stated at two hundred thousand tons. Then compute two hundred thousand tons at eleven shillings *per ton per month* or more, and add the victualling estimates, that is enough for the first article towards the two millions five hundred thousand pounds. The next article is beyond my power to specify ; but I think I may venture to assume, that the present armament of one hundred ships of force in America cannot possibly be manned without ten or fifteen thousand men more than the number of men as yet voted. Your seamen, exclusive of marines, which are chiefly used as land forces, and many of them now shut up in Boston, amount to but little more than eighteen thousand. Your American armament singly would require that number. Your foreign stations cannot be stripped. The East Indies, the West Indies, the Mediterranean, Newfoundland, your home guard, many convoys that will soon be applied for (I have myself applied for one convoy already) ought to be supplied with as many more. Calculate the seamen, with their bounty money or press money, and their ordinary rate of expence ; then add, stores consumed and destroyed, provisions for ships in sea-service, interest running on upon navy bills, old arrears coming to light, with an endless catalogue of never-failing items, and I think I shall have out-gone my stint of two millions five hundred thousand pounds.

Comparing these considerations with the amount of the total naval expence of the early years of the late war 1757 and 1758, the result is to the same conclusion ; therefore I shall pass on to the second sum of two millions five hundred thousand pounds calculated for army extras. If I could form
any

any guess of the price of a bushel of wheat, or of a sack of oats, transported by force of arms from Bear Key to Ticonderoga, or Crown-Point, I might hope to make some impression upon this estimate. It must put to scorn all estimates from German extraordinaries; and yet the extraordinaries for several years of the late war, for forage and provisions, amounted to four or five millions *per annum*. The petty extraordinaries of a few men, circumscribed within the peninsula of Boston for a few months, has amounted, by the accounts of the last year, to an enormous sum; then what estimate shall we form for a twelvemonth's provision and forage for an army of thirty or forty thousand men at the distance of three thousand miles from home, besieging and besieged, spread, or at least expecting to be spread, over that immense continent, but without one hospitable acre to afford them sustenance! It is out of my bounds to undertake the calculation. If I have not over-rated the total, it is enough for my argument; and I fear, when the bill comes to be paid, it will be more than enough for us all. As to the office of ordnance, one word will settle that account; their usual stint, during the last war, for extras was three hundred thousand pounds a year. In the year 1775 they got up to two hundred and twenty-three thousand pounds for extras; and I dare believe, that their industry will not be backward to support the good old custom of a round sum for unaccounted extras.

Having, as I hope, verified my estimate for the extras, and clearly having not over-rated them, I am returned to my first total of the expences of 1776, as stated above at

	£.12207000
The amount of the present out-standing debt,	
as already explained	4748000

The total of the supply of 1776, added to the debts out-standing, amounts, as before stated, to	16955000
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As for the amount of the ordinary revenue, there cannot be much dispute.

A four shilling land-tax, and the malt-duty, yield net about	£.2250000
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The sinking fund, upon an average of five years, somewhat less than	2700000
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Total	4950000
The	

The remainder therefore unprovided for will be, as I stated it before ——— £. 12005000

But that I may not seem to exaggerate, I do not state that it is indispensible to provide for the whole of the twelve millions, because I know it has been customary, though not commendable, to suffer an out-standing debt of two or three millions. And to be perfectly explicit, I wish to state the precise sum which will be necessary before the end of this very year, to place us in the same condition as we were before the American war. I think it very fair to take my line, from the noble Lord's own conduct, respecting the out-standing debt. In his administration, the navy debt has been reduced as low as one million and eighty-two thousand pounds, and the exchequer bills to one million. I shall therefore on this head throw in another million, and strike off three millions from my last total of twelve millions. The noble Lord's own conduct marks what even a minister thinks to be the reasonable line of indulgence, and justifies me in saying, that the least sum to be raised, which can be sufficient to restore this country to that degree of ease and affluence (such as it was) which we enjoyed before this American war, must be nine millions. I make no demands of impracticable austerity, with any view to aggravate; but I state the simple and certain difference, such as it will be at the end of this campaign, with the situation in which a commendable attention of the noble Lord in the early parts of his ministry had once placed us. I call it the certain difference of nine millions, because there can be no doubt that the extras, as estimated at five millions three hundred thousand pounds, must be much below the mark; if so, the result of the whole is this; that the nation must be prepared to support the burden of ten or twelve millions at the end of this year for the American war.

I have often stated these matters to the noble Lord in this House, without any correction from him as having over-rated them. I told the country gentlemen, both last year and this year, that they must take their leave of a three shilling land-tax; the fourth is mortgaged in perpetuity. If you are already ten or twelve millions deep, where will you be in the next year, and the next? and what taxes or funds are you provided with, or can you find? A noble person (the earl of Stair) has given us a very accurate state of the public revenue, and has shewn that the annual surplus, even of a four shilling establishment, is but about five hundred thousand

land pounds a year: how is this pittance to clear off a debt of ten millions? or, if you go on with these destructive measures, perhaps twenty or thirty millions. Take off the fourth shilling, and you will find the remainder barely equal to your peace establishment; therefore the fourth shilling upon land is all that you have left to clear your debts, or to provide for future contingencies, till the landed gentlemen shall consent to give six shillings in the pound.

I have endeavoured to draw up my motions, argumentatively dependent upon each other, in the manner and order that I have opened them, viz. The services of 1776,---the debts out-standing,---the ordinary ways and means,---and the deficiency unprovided for.---That they may stand upon your journals, as a caveat at least entered before these fatal measures are irretrievable. But as I do not mean to throw out any false colouring, either to the House, or to the public by the means of your votes, and as one of my resolutions contains a recital of the total navy debt, lest therefore it should appear that I made a demand for the payment of the whole, I shall offer to the House a subsequent resolution, explaining what proportion of the navy debt I do think it necessary to have discharged, for the better security of public credit, viz. The navy bills out-standing, or at least such part as now carry interest at four *per cent.* amounting to about one million six hundred thousand pounds (exclusive of interest) as appears by a paper laid this day upon your table at my request. The paper is intituled "An account of navy, victualling, and transport bills out-standing on the 29th of February, 1776."

The reasons which induce me to offer this measure to the House, are in my poor opinion of some importance. If you look at your navy debt, or upon the paper just now presented, you will see that there are more bills of credit now out-standing than in any year for the first five years of the late war, when we had the greatest powers in Europe to contend with. What description of mine, or even what possible exaggeration, could paint the present state of this country in more alarming colours! At the very outset of this war we are driven to the same shifts, which we were not driven to in the late war, till we had attained every object of it, and till by the vigorous exertion of a great minister, we had girt the globe with conquest. When every nerve had been so long strained, and so successfully, something might then have been

been said for slackening the springs, and eking out with expedients; but to begin with secret shifts and hazardous expedients, what is that but confessing to a certainty, that you foresee the enormity of the expence; that you take every means of concealing it from the public eye; that you know and feel the inability of your country to support a civil war, which will destroy every source of its strength and power; but that you are secretly and treacherously meditating to lead us on, confiding as we are, uninformed, and unsuspecting as you would have us to be, step by step, to ruin?

The public have been alarmed, and perhaps not without reason, upon some supposed measures of the bank, with respect to navy bills. Wherever there are mysteries in matters of importance suspicion is justifiable. Immediately after the navy debt was moved for in Parliament, it was announced, that the bank had stopped their hands in buying up navy bills, and they fell to a double discount. It was the calling for the navy debt that first brought to light the total amount of the outstanding bills, which on the 31st of December 1775 was greater than in any of the five first years of the late war. The public concluded very naturally, that there was some secret understanding between the ministry and the bank upon this subject. Doubtless buying up the navy bills by the bank was a voluntary act of their own, even if it were concerted with the ministry; but still the circumstances, taken altogether, appear suspicious. Why should the bank have prevented themselves, as they seem to have done, from purchasing navy bills at the double discount? For the moment they left off buying, the discount became double. Why should they even seem to be assisting to government in their system of contracting debts secretly and underhand? This is tender ground. It was not originally any suspicion of mine; but I confess I took it from a paper circulated, and which I believe was sent to most members of this House, stating, that the bank had advanced above eight millions to the treasury, upon distant funds, out of the reach of circulation, to the great risque of public credit. If that be so, I still think, as I did when it was first suggested to me, that it is a most dangerous system. Its tendency is to convert the bank of England into a ministerial engine of state; and the danger nothing less, than making the executive power independent on the knowledge and consent of Parliament for money. May not twenty-four directors, in some future time, be prevailed upon materially to sacrifice the interest of the pro-

prietors at large to serve a minister? Even in the case just mentioned, it was a fortunate incident for the ministry, that, just at a time when it was their object to get what advance of money they could in secret, the bank should seem studious to take up their navy bills at half the discount to which they fell, upon the very day on which they ceased to purchase. I repeat it again, this is tender ground: more so than is generally imagined.

I believe no one can doubt the responsibility of the bank of England: but any bank, whether public or private, may be broken, notwithstanding a very certain final responsibility of paying twenty shillings in the pound, and even a great surplus remaining. It is a ready responsibility that must support any bank at a pinch; distant funds, out of reach, will not give support against a sudden alarm and run. Any indiscretion of the bank in advancing large sums upon very distant funds, may be extremely hazardous to themselves, and to every shop, which by habit and gradual custom considers bank notes to be as good as coin. They are all upon one bottom. I have not all the alarms about paper credit that some gentlemen have, particularly not about bank paper; but still I think it a point of material prudence, that the bank should not be too free in advancing millions upon very remote funds. This is a very important point. I hope that I have touched it tenderly. I think I need say no more in support of my last motion, for making a satisfactory provision for the outstanding navy bills.

I will now state my motions as they follow each other argumentatively in order:

That it appears to this House, That the supplies already voted in this session amount to the sum (or thereabouts) of	-	-	-	£.
exclusive of several other services as yet unprovided for	-	-	-	6,157,000
				,
That it is the opinion of this House, That the expence of the navy for the year 1776 may probably exceed the provisions hitherto made by Parliament, to the amount of	-	-	-	2,500,000
That it is the opinion of this House, That the extraordinaries of the land forces for one year, from March 9, 1776, may probably amount to the sum of	-	-	-	2,500,000
That it is the opinion of this House, That the expences of the office of ordnance for land service for 1776 may probably exceed the				provisions

provisions hitherto made in this session by the
 sum of - - - - - £.
 300,000

That it appears to this House, That there are
 Exchequer bills outstanding, charged upon the
 first aids of this session, to the amount in
 principal money of - - - - - 1,250,000

That it appears to this House, That the navy
 debt on the 31st of December last amounted to
 the sum (or thereabouts) of - - - - - 2,698,000

*That it is the opinion of this House, That for the
 better security of public credit it would be proper
 to provide for the navy, victualling, and transport
 bills, outstanding on the 29th of February, 1776,
 amounting to the principal sum of 2,308,000l. or
 thereabouts (exclusive of interest already due) or at
 least for such part of the said bills as do at present
 carry interest at 4 per cent.*

I have now stated all that I have to offer on the subject of
 the present state of the nation, and its revenue, which I ad-
 dress specially to the noble Lord who is Chancellor of the Ex-
 chequer. It is not the first time that I have addressed him
 upon that subject, and to this very effect. I have done it
 many times in this session, both before and since Christmas;
 but he has always confined himself to general terms. No re-
 peated applications have been able to extort any thing ex-
 plicit from him. How can the noble Lord justify such secrecy
 and silence, and backwardness to communicate information
 to this House at this important crisis? It is the duty of his
 office to be active and vigilant, and forward to apprise this
 House, in time, of every important circumstance, and not to
 leave the burthen upon private and uninformed members of
 dragging every unwilling estimate into day-light. Why will
 he not cultivate the confidence of the House by fair and
 open dealing? What interest can the noble Lord have in
 keeping us in a state of deception? Is he afraid, that if the
 whole truth were laid before us, this House and the public
 would be less sanguine in the prosecution of the American
 war? I remember the day when the noble Lord told us, that
 others were more sanguine and impatient than himself.
 What are we to think of this inconsistency, that he should
 suffer himself to be driven to every sanguinary measure, con-
 trary to his own better judgment? He professes the most
 earnest desire for peace, but submits to and supports every
 measure and principle of the most sanguinary kind. In the

very beginning of this session he exclaimed with the most apparent earnestness and sincerity. Would to God that all things were as they were in 1763 ! He expressly declared his readiness to dispense with taxation ; he has even proposed terms with America (such as they are) which at least proves, that he does not maintain the doctrine of unconditional submission ; the next day, perhaps, he is taken to task, and insulted publicly before us all, for his indolence and inactivity ; then again he resumes his taxation and compulsory revenue : He submits to be the mere instrument of carrying through this House every merciless and vindictive act that is suggested to him ; and very placidly acquiesces with the noble Lord lately advanced to the head of the American department, who declares in the most peremptory tone, that he will reduce America to unconditioned submission with fire and sword.

The place of first Lord of the Treasury has usually been considered as the post of minister ; but whether it be from indolence or indisposition to the service, we know not ; certain however it is, that the present noble Lord in that office suffers himself to be controuled and superseded, at least in American measures. A secretary of state for the American department is introduced, to give vigour to sanguinary measures, to counteract the more pacific disposition of the apparent minister, lest the House should catch the relenting mood, which in truth they appear very well disposed to, whenever the noble Lord at the head of the Treasury gives the least opening. These are the dispositions which all his friends (and I myself am not without my partialities to him) wish to see confirmed into steady and persevering principles of action. Why will he not justify the favourable opinion of his friends, by a manly adherence to the line of lenient justice ? If these principles are not merely transitory and complexional in him, let him confirm them by his actions. If he will take a decided part now, according to his professions, and not suffer himself to be over-ruled by some secret and destructive influence, he may give peace to his country and to America. It is an important moment that does not fall to every man's lot. A manly steadiness, and exertion of that influence which he possesses, may rescue his country from all the horrors of a civil war ; and when I have said thus much to him, his own reflection will suggest to him, that the man who has so much in his power, and neglects the exertion, either through indolence

dolence or any private or personal views, will have a very heavy load of guilt lying at his door.

However, Sir, for the present, and with respect to the materials which I have now offered to the House, I shall confine my address to the noble Lord as Chancellor of the Exchequer, distinct from the efficient and responsible minister of the American war; a distinction which perhaps he may not be displeased with at present, and which he may find it very material to be able hereafter to justify.

I now submit myself to the noble Lord's comment and correction, if I have fallen into any material error in my calculations: If not, I will, under favor of the House, reserve myself for a few words upon the general subject of the American civil war, which it is the sole and ultimate object of all my prayers and labours to avert.

Lord *North* said, the honourable gentleman looked for *Ld. North* impossibilities, he could not divine what the expence of the campaign would amount to. It was impossible to tell, till the expence was incurred; and in some instances not till long after. Such accounts as were brought into the respective offices, were regularly laid before the House, and that was all that could be done. He was against the motion, because it could not be complied with; the sums might be right, but the House had no documents before them to come to such a vote.

Hon. *James Luttrell* supported Mr. Hartley's motion; but *Hon. James Luttrell.* many of his arguments led to prove, that the information required by Mr. Hartley would be very insufficient, if Parliament were to be imposed on by such mutilated and garbled estimates as were then laid upon the table, tending to mislead rather than inform the House; that though they were so very artfully and intricately drawn up, that it would be found difficult to decypher them, it was indeed unnecessary to attempt it; for he would undertake to prove that they were replete with fraud and imposition, the money not having appeared to be applied to the several purposes for which Parliament had granted it; that the practice was to raise money upon false pretences; that Parliament had voted 60,000*l.* for the express purposes of repairing two 74 gun ships and one frigate, not a shilling of which money had been so expended, the two large ships being decayed for want of repair, and the frigate broken up as soon as the money was asked for. He then proved several other impositions not less gross; but contended, that the large supplies granted annually

nually by Parliament were sufficient, with good management, to answer all the necessary expences of the navy. He shewed, that either by ignorance or fraud, a great and heavy debt was incurred; but said he was sure that the House was not before acquainted with the means by which that debt was contracted, and was persuaded government could only trust to the indolence of Parliament, and the insufficiency of the estimates, to shelter themselves from that resentment such impositions on the public and insult on the Commons merited. He then stated that more than half a million of money had been voted for naval stores since 1771, exclusive of half the four pound per man for each month, which is a very great supply towards the wear and tear; that several articles in the ordinary estimates have increased nearly double in the space of a few years; that naval stores supplied by America before the war, had of late years fell one third in their price; that harbour moorings now stand government in 50,000l. a year, which a few years ago did not exceed 20,000l. though they are not so frequently shifted, nor attended with the same expence as formerly; that 400,000l. had been granted annually towards the repairs of our fleet, which is more than double the sum voted the year after the war, though new ships had replaced many of the old ones; and the service our navy had been employed in during the peace could not occasion the necessity of frequent repairs. He then stated many more supplies, such as 264,795l. for improving the 400,000l. towards paying off the navy debt, &c. but which way all these sums had really been applied, he contended, could not be traced out by means of the estimates, or other accounts laid before Parliament; certain it was however that the navy debt (reckoning the 400,000l. granted by Parliament) from the 31st of December, 1771, to the 31st of December, 1775, had increased from 1,179,375l. 12s. 11½d. to 3,098,579,0¼d. He then took many exceptions to several articles in the navy estimate layed before Parliament, such as the number of seamen charged more than had been voted, a mutilated account of 20,096l. 12s. 2d. as the whole expence that appeared for building King's ships in contractors yards, when 17,574l. granted for the same purpose, had been smuggled into another estimate the same year; that no less than 91,524l. 9s. 10d. was not to be accounted for by the ingenuity of office, but by a supposition of the navy boards, that there might be more provisions on board the ships than last year, and that the price was higher. He concluded by insisting, that the charge

A. 1776.

D E B A T E S.

493

of 96,291l. 5s. 5d. for victualling land forces, ought not to have been included in the navy debt; and in support of this assertion, as well as to point out the necessity of a strict parliamentary enquiry into the many impositions he had alluded to, and the remedy necessary to be applied, he desired that the clerk might read an address from the Commons to the crown, on Thursday, May 31, 1711, in which they set forth, that it is their privilege to adjust the proportion of the money they grant, or are for the sake of public credit bound to pay; that when the sums are stated and granted, those through whose hands the disposition of them passes, are not to be allowed in any shape to alter or enlarge them; that when uses are found out, such as were neither voted nor addressed for, it is a misapplication of the public money; the Commons set forth the abuse of diverting several sums issued for one service, and transferring them to other purposes, for which they were not intended, and that such practices amount to attempts, which differ very little from levying money without the consent of Parliament at all. That the sum of 660,806l. 7s. 7d. charged to the navy debt, has been payed for victualling land forces sent to the garrison of Gibraltar, &c. for which no deduction appears to be made from the pay of those forces, nor any part of that sum re-assigned to the victualling, which is a breach of several acts of Parliament; and the address, setting forth exact similar abuses to those now practised towards the navy, prays, that for the sake of her Majesty's honour, and for the public good, she will be pleased to remove those persons from office and public trust, who have been found guilty of such frauds, and that they may be prosecuted by law for their offences.

Lord *John Cavendish* seconded Mr Hartley's motion. He ^{Lord John Cavendish.} desired to know what money would be wanted, that the House might be enabled to judge fairly of the expediency of the undertaking, and entreated that administration would desist from their shameful dissingenuous conduct, of bringing in their accounts by piece-meal, recommending to them to speak out like men, who had nothing to fear or conceal, and were ready to submit the measure at large, with all its consequences, to the eye of Parliament.

Mr. *Hartley*. Interested as I am not to incur the displeasure or slight opinion of the House, which must have ^{Mr. Hartley.} been my punishment if I had presumed to make myself so much the object of their attention, as I have done this day, upon frivolous, crude, unwarranted, or undigested materials,

rials, I now address them with more confidence, as the noble Lord has neither denied, nor even contested, any material fact or probable calculation which I have offered to you. He has not entered much into detail; but he has told us in general terms, that the expence must be enormous; that no estimate could be made that could give any satisfaction to Parliament (which is but poor encouragement to proceed;) that it has not been usual to forecast, or to provide for the actual expences of each year within the year, but that it may be proper to provide for a few navy bills; and though he has not consented to have authentic estimates laid before the House, yet he has given a full confirmation to mine, as not being exaggerated, but probably much under-rated.

Upon this warrant from the Chancellor of the Exchequer, I will now apply myself to another noble Lord, lately advanced to the head of the American department, and who is therefore to be considered as standing in the place of efficient and responsible minister for the present civil war. As to the first Lord of the Treasury, his measures have been vilified; his plans have been ridiculed; he has been publicly reproached in this House with indolence. The other noble Lord, who is not of a disposition to be dictated to, is now brought forward to restore firmness to our counsels: He will turn over a new leaf: He will inspire new vigor into this civil war: His principles and conduct have always been consistent: He declares uniformly and repeatedly, in the most peremptory tone, that he will never consent to any treaty with the colonies whatsoever, previous to unconditional submission. Let this noble Lord now look at the work that he has undertaken, and the support that he is likely to receive from his colleagues in office. Will he sit patiently in his place, and hear the Chancellor of the Exchequer admit the enormity of the financial provisions necessary, yet openly declaring in the House that he will not make those necessary provisions?

I appeal to the House, if the noble Lord, who is Chancellor of the Exchequer, did not admit my estimates of the probable expence of this year to be under-rated, at the same time declaring that he would not make provision for them in this year's account, but leave them to time and chance? Concluding with telling us, that it might be proper to provide for a few navy bills.

Would the great minister of the late war have patiently submitted to such an undisguised declaration? No; nor would he under those conditions have stood responsible. I

do not mean to instigate the war: No one will suspect me of that; but I apply to the discretion of those men who have undertaken it. Granted, that they can still think it may be within the limits of possibility to make a conquest of America (which I think madness;) yet without concert, without union, without seamen; your levies not raised, your transports not hired, your embarkations already two months after their time, and still not in forwardness; your Chancellor of the Exchequer starving the service; one of your commanders declaring in his place in this House, for himself and his colleagues, that the service was unsought; will not ministers pause for a moment? Is the prospect so encouraging, or do they not begin to suspect that they have undertaken more than they can accomplish, at least in the disunion and distraction of their present counsels? It is now avowed, that we are too late to expect the conquest of America in this campaign; that point has slipped already; set down ten or twelve millions more for that sleepy fit. I apply to the prudence of ministers, whether in the present circumstances at least, they may not think it advisable to relax from the peremptory terms of unconditional submission.

The whole of my object in applying to you this day, is to submit to the consideration of the House, and of the public, whether for the sake of justice, and upon a review of the state of the nation, and of all the consequences which must attend this fatal war, they will not think it reasonable and expedient (if this armament must proceed) to send at the same time a solemn, clear, distinct, and unambiguous specification of just and honourable terms to be offered to your colonies, previous to any further acts of hostility. I think that Parliament owe to their own dignity, and to the honour of the kingdom which they represent, to set up the standard of national justice upon that ground. I do not take it as a simple proposition, either of concession or accommodation, but of indispensable justice, as connected with these armaments of vengeance which you are preparing. Let it be avowed openly and unequivocally to every member of the constitution, that the British government knows no other foundation, and acknowledges no other principle for its title and demands, but the compact of rational obedience and conditional submission. I take my line from the address and petition of the corporation of the city of London lately presented to the throne. That address will remain to the latest times a perpetual testimony and memorial of their prudence

and diligence to direct, as far as their influence can extend, the movements of government by justice and reason, and of their earnestness and zeal for the support of good order and just obedience, as long as government will abide by their part of the compact. No people can be bound to surrender their rights and liberties in return for protection. When any government make such demands, the compact is void. These are bold and manly principles. They are the pillars of our own constitution. That great and respectable corporation, the city of London, have taken a decided part worthy of themselves. They earnestly implore his Majesty, through the means of Parliament, to assure the colonies that they shall be protected in their rights and liberties, and upon that ground to demand, in return, rational and contented obedience. Let the justice of the legislature stand vindicated in the contest, and they offer their hands and hearts to support you. In a confederate state, where there are dependences and subordinations, the term of a supreme legislature has a very intelligible import; but an arbitrary legislature is as totally repugnant to every principle of sound and just government, as an arbitrary monarch. Reason is the law to legislatures, and the measure of obedience to subjects.

Whatever be the event of this unhappy civil contest, the city of London, as a very important member of the state, have discharged their duty with prudence and firmness. They have not presumed to dictate the terms; but upon the most liberal principles, they have suggested, that the fundamentals of this government, which are taxation by representatives, and security of charters, ought, in the spirit of justice, to be confirmed to all parts of the British dominions. I think that it now remains with us, in conjunction with the other branches of the legislature, to fulfil our parts. If we neglect this step of justice now, the future national reproach will lie at our door. The answer which the city of London have received, too plainly imports unconditional submission, or no peace. Whoever has advised that answer, and still takes upon himself to persist inflexibly in these principles, has in my opinion taken a very desperate responsibility upon himself.

If ministers have no regard for the honour and justice of their country, let them at least pause for one moment; and before they cut off all retreat, let them reflect upon their present enterprize and future responsibility: And first, I apply myself to the wisdom of the House upon the arguments of
prudence,

prudence, which the present state of the nation, as I have endeavoured to lay it before you, seems to me irresistibly to suggest; I then address myself to the noble Lord at the head of the American department, to remind him of his own responsibility, and I make my tender to him of the proposition of conditional terms, as arising out of the address of the city of London to the king. I have drawn up the sentiments of that address, in a form of an address from the House to the King, which I confess appears to me most indispensable, and which, with great deference, but most earnestly, I recommend to the consideration of the House. The substance of the proposition is to put the American colonies upon the same footing of taxation that Ireland is, and always has been; and to give them security for charters. If you do not meditate to introduce the same innovations into the mode of taxation in Ireland, which you have attempted in America, then put them both upon the same ground, and let them be mutually a security to each other. The example of Ireland is entirely pertinent to the case of the colonies; your provinces in America have always hitherto been upon the same footing in taxation as Ireland. Let them be simply replaced as they were, and then the principles and uniformity of your provincial governments in all your dependencies will be maintained. Your colonies, in their late humble and dutiful petition to the King, have implicitly submitted themselves to his wisdom and gracious interposition, to prescribe the terms of peace: Then let these terms precede your acts of vengeance. Assure to them the security of their rights and liberties, and then make your demand of submission.

One word, Sir, of apology for myself. My situation is at present distressing to me. I have so often troubled you upon the subject of America, which I confess engrosses all my thoughts, that I do not know how to trespass upon your patience any further, especially at the conclusion of an intricate debate upon the state of the nation. But having set before you on the one side the very alarming, though real state of things, if I do not, on the other hand, offer to you the alternative, by which you may avert the calamities impending upon this country, my work will be incomplete, and the ultimate object of it will be frustrated. Let me entreat you to open the door to reconciliation and peace, and not to drive them from you while they are yet within your reach. With the permission of the House, I will read to you an address to the King for specific terms of peace to be offered to the colonies,

nies. I will importune you no farther, but to recommend it to the serious consideration of the House; I wish I might add, to their adoption, that it might receive the weight of their sanction and authority before it be too late.

It is as follows :

“ That an humble address be presented to his Majesty, setting forth, That this House, having taken into their serious consideration the very alarming state of the present disturbances in America, and the ruinous prospect thence arising to the commerce and public credit of these kingdoms, and to the safety of all his Majesty's dominions, together with the enormous debt, deficiencies, and boundless expence which every day and hour accumulate, out of measure, in this destructive and exhausting civil war; and that his Majesty's faithful Commons being most anxious to provide for the peace, prosperity, and security of all his Majesty's dominions, and to save the effusion of blood, and thinking that the most probable means of restoring peace to his Majesty's subjects in America, and of securing their constitutional dependence on Great-Britain, would be, to empower his commissioner or commissioners to offer to them some specific line of rational obedience, instead of unconditional submission, and to give them assurance of redress to all their reasonable complaints of grievances, together with a full security of all their constitutional rights; beg leave to recommend to his Majesty to give instructions to his commissioner or commissioners to issue a proclamation in his Majesty's name, declaring, That his Majesty's colonies in America shall be put upon the same footing of giving and granting their own money, by their own representatives, as his Majesty's subjects in Ireland are, and always have been; and that all charters which have at any time been granted to any of the said colonies by his Majesty, or any of his predecessors, shall be confirmed and secured to them; and to assure his Majesty, that this House will give his Majesty every possible assistance to put such assurances into full effect and execution.”

A negative was put upon all the motions except the last, (distinguished by Italics in page 489) upon which Lord North put the previous question. There was no division.

April 2.

Private business.

Adjourned to April 18.

April

April 18.

Adjourned to the 24th.

April 24.

The day appointed for opening the budget.

Lord *North* began with recapitulating the grants made by Lord *North*. the committee of supply, which he said, amounted to nine millions ninety-seven thousand pounds, consisting of the army, navy, ordnance, navy-debt, expence of coinage, exchequer bills, deficiencies of land and malt, deficiencies of grants, and miscellaneous articles.

He next stated the sums granted in the committee of ways and means, consisting of land and malt, produce of the sinking fund and exchequer bills, to be issued for the service of the year 1776, all which amounted to seven millions one hundred and forty three thousand pounds.

The difference between the amount of grants and monies provided for, he computed to be one million nine hundred and fifty-six thousand pounds.

He informed the committee, that to balance this deficiency between the grants and supplies, he meant to borrow two millions, which would make an overplus of sixty-four thousand pounds.

To raise this sum, he proposed that annuities should be granted at three per cent. per annum, on one million four hundred thousand pounds, and that the other six hundred thousand pounds, to be raised by lottery, the prizes of which were to be funded and incorporated into the two millions stock; that is to say, every man subscribing one hundred pounds, should be intitled to interest for seventy-seven pounds ten shillings, at the rate of three per cent. per annum, and have three lottery tickets, which, computed at eleven pounds ten shillings per ticket, amounted to thirty-four pounds ten shillings.

The seven pounds ten shillings was by way of premium, which, with the profit on the ticket, would stand the public in one hundred and twelve pounds, and if the tickets sold at their usual price, would, in fact, cost the public one hundred and fifteen pounds, but as in the first place the three per cents. consolidated, bore no higher a price than eighty-five and a fraction; and as the prizes in the lottery being to be funded, he did not compute the terms the money thus borrowed, stood in relation to the public, but see what the lender was actually to receive. On this ground, then, he said, the seventy-seven pounds
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ten shillings, three per cent. consolidated, was worth at market sixty-five pounds, seventeen shillings and six-pence, and the three lottery tickets thirty-four pounds ten shillings, by which means every subscriber of one hundred pounds would receive in stock and money one hundred pounds seven shillings and six-pence, and if the tickets should sell higher, every thing more they brought would be an additional profit to the seven shillings and six-pence.

To pay the interest on the two millions one hundred and fifty thousand pounds thus borrowed; that is, the two millions loan and one hundred and fifty thousand pounds premium, the interest of which, he said, would amount to sixty-four thousand pounds, he proposed to lay on the following taxes:

On four wheel carriages a tax of twenty shillings each, which he computed would amount to seventeen thousand pounds per annum.

On stage coaches at five pounds each, amounting to two thousand pounds.

On deeds, or all writings to be stamped, at one shilling a stamp, amounting to thirty thousand pounds.

On news-papers one half-penny per stamp, eighteen thousand pounds per annum.

Cards and dice; six-pence a pack on cards, and two and six-pence on dice, six thousand pounds per annum.

Those different sums would amount to seventy-two thousand pounds, which would have a surplus of eight thousand pounds, to go to the credit of the sinking-fund.

His Lordship then gave a particular account of the present flourishing state of the sinking fund. He observed, that the preceding session that fund had been charged with two millions eight hundred thousand pounds, besides one hundred thousand pounds paid to his Majesty for the purchase of Somerset-house, which together made the prodigious sum of two millions nine hundred thousand pounds. Yet notwithstanding this heavy charge, considerably more than had ever been laid on that fund before, there was a surplus lying in the exchequer at the end of the Christmas quarter, of seventeen thousand pounds, which was now brought to the credit of the ways and means. To this prosperous state he said it might be objected, that the present troubles in America being foreseen, greater importations might have been made from that country in the course of last year than usual, which produced a kind of unnatural increase of the customs;

customs ; but the very reverse, he assured the committee, was the fact, for, in the course of the last quarter, however unaccountable it might appear, the produce of the sinking fund on the 4th of the present month, was found to be nine hundred and sixty thousand pounds, so that the last five quarters produce amounted to the almost incredible sum of four millions, or three millions eight hundred and seventy-seven thousand pounds. Though this state of that fund might appear as if the trade with the colonies was of little or no consequence to this nation, he did not mean to draw any such conclusion from the premises. He was convinced of the great importance of that very valuable branch of commerce ; but it authorised him to draw another conclusion of singular importance, which was, that it proved the great opulence, private consumption, public wealth, and immense resources of this country. When those facts first came to his knowledge, he confessed he was much astonished ; he suspected that the imports from America must have been much greater than at any other time, at least in the beginning of the preceding year ; he found to his surprise that that was not the fact, and the produce of the last quarter convinced him to demonstration. He again enquired, if the decrease in the debentures and drawbacks might not have contributed in a great measure to the increase of the sinking fund ; but here again he was disappointed, for though the debentures and drawbacks had decreased, they had not decreased in any proportion at all sufficient to compensate the loss of our American trade. But still, on further enquiry, he found himself more puzzled, for it appeared that it was not by the customs alone that the fund was enriched, but from the excises on inland consumption, the most irrefragable evidence of the increasing, internal, and domestic wealth of the people, who were the consumers of those excised articles.

From this pleasing appearance, he said he was warranted in charging the sinking fund with the sum of two millions nine hundred thousand pounds, now proposed, as he found it so rapidly on the increase. It appeared by taking the average of the two last years, the produce was two millions eight hundred thousand pounds, and on the three last, two millions seven hundred thousand pounds and a fraction, whereas the average of the five preceding years amounted to no more than two millions five hundred thousand pounds, or hardly so much ; and previous to the breaking out of the late war, to not more than half that sum. This led him
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to repeat what he had before mentioned, that our commerce was immense, our resources great, and our internal opulence almost beyond conception; for though the national debt was considerable, and our burthens heavy, the tradesmen, mechanics, and labourers in this country, lived in a manner unknown to any country whatever. Examine the labourer's stile and manner of living; examine his food, his cloathing, his house, and even his little luxuries, and compare him with men of the same class in Ireland, in any other part of the empire, or Europe; and it would amount to this demonstrative proof, that although our taxes were great, our burthens were heavy, that yet the means of procuring the necessaries, nay, even the comforts of life, were easier attainable in this country, than in any other under the sun.

On the other operation of finance, that of raising one million five hundred thousand pounds by exchequer bills, he begged leave to explain himself, as it arose from circumstances which related to a matter not immediately before the committee, that was the present state of the East-India company, concerning their transactions with the bank. In the year 1773, government issued one million four hundred thousand pounds exchequer bills, in order to extricate that company out of its difficulties, one million one hundred thousand pounds of which has been since paid; so that three hundred thousand pounds only remaining in circulation, he thought he had a fair opportunity of issuing two hundred and fifty thousand pounds in exchequer bills more than the last year, without running the risque of a glutted market. On this ground therefore, it was, that he encreased the exchequer bills from one million two hundred and fifty thousand pounds, to one million five hundred thousand pounds.

His Lordship repeated, that the money to be borrowed and funded, would be two millions. In this operation he had two points in view; one was, to make the best bargain he could for the public; the other, to give the stockholder a reasonable profit and encouragement to subscribe; both those he hoped would be effected. It is true there would be a nominal loss to the public of 15 per cent. but it could not possibly be otherwise, and the subscriber would be no real gainer, on account of the very low price of stock, for the premium and the advance on the lottery

tery tickets would amount to more than a fair market-price for his subscription.

The interest on this stock would amount to sixty-four thousand pounds *per annum*; and as it was not meant to break in on the sinking fund, the interest money must be paid by new taxes.

Taxes in all countries, where necessity did not compel, should, as much as possible, be laid on luxury, and the elegant conveniencies of life; but much more where the consequence and strength of a kingdom chiefly depend on its trade and commerce. In those he meant to submit to the committee, he should have that great object steadily in view. In many instances this mode of levying taxes would not answer. Where great sums were to be borrowed, the burden must lie on the bulk of the people at large, who were only capable of bearing it; but in every operation, such as the present, luxuries ought to be taxed, both because the first weight ought to fall on the rich and opulent, and because every tax, which might in its consequences tend to affect our manufactures, so as to enhance their value to foreign purchasers, ought, if possible, to be avoided.

The tax on four-wheel carriages, though an object of convenience, was, in another light, a luxury, because none kept them but such as were really or nominally rich. The tax on two-wheel carriages came under the same description in a secondary degree; but on inspecting into the produce of the last mentioned tax, he observed that it decreased, while the other was yearly on the increase. The number of four-wheel carriages which paid the tax last year, he said, was 18,600; but supposing that gentlemen, who had several of them, would on this account lay down one, or that the number of four-wheel carriages might from other causes actually decrease, he would allow for that decrease, and fix the number at 17,000, which, at twenty shillings each, would produce the sum of seventeen thousand pounds.

The next proper object of taxation, he thought, would be stage-coaches and machines. He said, that gentlemen who paid the tax for their own carriages, thought it a little extraordinary that hackney carriages should be exempted, particularly when they saw four or six insides, and eight or ten outsides daily passing them on the road, without contributing a shilling towards the public expence. Those he computed at 400, though he believed them to be considerably

more, which, at five pounds each, would produce about two thousand pounds a year.

There had been taxes already laid on all deeds and paper writings sealed, but he thought from the easy manner of collecting the stamp-duties, and the benefits supposed to arise to the parties from such transactions at the time, that deeds would bear an additional stamp of one shilling. The shilling stamp laid on in 1736, produced the last year thirty-two thousand pounds, but taking it on an average of thirty thousand pounds, he proposed that an additional tax of one shilling each should be laid on all deeds or paper writings sealed, heretofore liable to the payment of stamp-duties.

Cards and dice were matters of real luxury, and ought therefore to be taxed. 164,000 packs of cards had been stamped the last year, which amounted to between three and four thousand pounds. Another six-penny stamp would produce a like sum, and the half-crown stamp on dice, about four hundred pounds, and both taken together, to upwards of four thousand pounds.

Newspapers in general, he thought a very fit object of taxation. He said, many persons thought they did more harm than good, while others looked upon them to be of great public benefit. He did not pretend to determine whether they were, or were not; but he could not help observing that they inculcated one thing which he believed was not to be credited, which was, that the liberties of this country were in danger from cruel, ambitious, and tyrannical ministers, when, under this tyrannic government, news-writers were daily permitted to abuse the persons, and misrepresent the measures, of those very men whom they described as enemies of liberty, with impunity. He could further inform them that those calumnies and falsehoods, were propagated and repeated in the course of a year, in no less than 12,230,000 news-papers. It was difficult to determine whence this avidity for reading news-papers arose. He could not say it was from a thirst of knowledge or improvement. He presumed, therefore, it was from a general desire of knowing what was passing, of spending half an hour that lay heavy on their hands, or from an idle foolish curiosity; but let the reason be what it might, it was a species of luxury that ought to be taxed, and from the propensity just mentioned, would, he made no doubt, well bear it. He said, by the last returns in the stamp-office, the amount of the tax was fifty thousand pounds on the penny stamp. He proposed

proposed now to lay on an additional halfpenny, which would, if the sale were to continue the same, produce twenty-five thousand pounds, but as the sale might possibly decrease somewhat, and thereby affect the penny stamp, and that several papers which were charged, were returned as unfold and the stamp afterwards allowed for, he would compute the produce of this tax to be no more than eighteen thousand pounds *per annum*. Taking those several sums together, they made about seventy thousand pounds *per annum*, out of which deducting the interest of the two millions one hundred and fifty thousand pounds, which was sixty-four thousand pounds, there would remain about six or eight thousand pounds a year to be applied to the uses of the sinking-fund, that is, provided those several taxes produced what he now stated.

His Lordship then reminded the committee, that the power and wealth of this country were great, and its spirit high, notwithstanding the pains that had been taken to depreciate one, and villify and traduce the other. Though Englishmen were degraded in the eyes of all Europe as tame, spiritless, and cowardly; though this country had been represented to be exhausted, borne down by taxes, and on the eve of a general bankruptcy; though the disappointments of the last campaign were magnified into defeats; and though America was represented by the same persons, to be the seat of virtue, liberty, courage and heroism, he nevertheless, trusted that this country had both the spirit left to assert her rights, to resent the insults she had received, and to convince her public and domestic enemies, that as she had the will, so she had likewise the means, of repairing her injured honour. He observed, that this country, when roused to a sense of her injuries, had never failed to chastise her foes, whether foreign or domestic; and that however slow she might be in the beginning, experience had taught them to their cost, that she was not to be injured or insulted with impunity.

He observed that the loan had turned out better than it would have done three or four days since, as the 3 per cent. consolidated annuities had fallen $\frac{1}{2}$ or $\frac{3}{4}$ per cent. within that time, on account of a pretended account lately received by a ship lately arrived from Jamaica, giving an account of the hostile preparations of the French and Spaniards in that quarter, and of martial law being proclaimed through that island. He could not think of passing it over in silence, and suffering

it to remain uncontradicted ; for if there was the least foundation for it, the governor would never have permitted a vessel to depart for Europe without sending an account of it ; therefore he would assure the House the report was totally false.

His Lordship spoke above an hour, to prove the solid grounds the credit of the bank of England stood on ; and contended, that it was no less supported by its own ability, than its known regard to public faith, which had secured it a credit and reputation, not only within this island, but in almost every part of the mercantile world. He alluded to Dr. Price, Lord Stair, &c. several of whose arguments, he said, were built on hypothetical reasonings. They often contained matter well deserving of public and private consideration ; but there was one observation he learnt by perusing them, that however their facts might be just, pertinent, or important, their conclusions and predictions generally turned out to be false. When even men, the best versed in business, and who had acted in the most important stations, quitted practice for theory, they were no less liable to fall into error than mere abstract reasoners. Such was the case of a great minister (Sir Robert Walpole) who was often heard to say, that whenever the nation owed 100 millions, it would be undone, and would become a bankrupt. The event has since falsified the prediction of that able politician, for in less than thirty years after pronouncing this authoritative sentence, the nation owed near 150 millions, and was neither bankrupt nor undone.

He observed, that great pains had been taken to decry the bank, and to depreciate its credit, but to no purpose. It had been called a bubble ; but to use the words employed on another occasion, if the bank was a bubble, so was the world. Many attempts have been made to prove its connection and dependence on government, and the influence it gave the minister. If by the minister was meant the first lord of the treasury, he assured the committee he had no influence on them ; if he had, he should, he hoped, use it to the best purposes, that of the public welfare. It was said too, that the bank had joined government against the people, than which nothing could be more fallacious, for by joining and co-operating with government, they essentially served the people, and no surer test could be given than this, which was, that if the people withdrew their confidence from government but for one day, he would engage that the next the individuals who compose the present administration, would have no more influence with the bank, than any other set of individuals

duals whatever; and on the whole, he could fairly declare, that he did not know a single instance in which the bank had assisted government, which was in fact assisting the publick, but in circulating the exchequer and navy bills, which brought them into the market, and lowered the premium half per cent.

It might be objected, he said, that the grants already made, and the services already provided for, would not be sufficient, particularly that no provision had been made for the army extraordinaries, which would be a certain expence. The observation would be a just one, if made, for there was none. He foresaw it, and intended, if something had not prevented him, to have taken his Majesty's directions on that point. He, however, would take the earliest opportunity of waiting on his Majesty, in pursuance of which, he presumed, he would to-morrow deliver a royal message, desiring a vote of credit.

The events of war were uncertain; but he had every reason to be satisfied, that such steps had been taken as would be the means of bringing America to a proper sense of her duty. There was nothing he so much desired, nor nothing more disagreeable to him, than to assert the rights of this country by force of arms, if it were possible to secure them by any other means. He sincerely wished for accommodation, if it could be obtained consistently with the honour and interests of the parent state, and the dignity and legislative supremacy of the British Parliament. He wished sincerely for conciliation, and was heartily disposed to treat America with tenderness and affection. But he trusted to the spirit and insulted honour of the British nation, that it would not let its most valuable and important rights be wrested by force, violence, and rebellion, out of its hand; and if occasion should require it, that it would exert that strength, which, when properly exerted, never failed to prevail.

His Lordship, in reply, seemingly, to such as had asserted in print, that the current gold and silver coin of the kingdom had been decreased, stated several facts to prove it was not. He said nine millions sterling had been already coined since the passing of the act; that four millions of light and cut gold remained in the bank ready for coining; that probably the present proclamation, relative to the calling in such guineas as were under five pennyweights six grains, and which exceeded five pennyweights three grains, would produce three millions; to which, if were added such guineas as were with-

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in the six and eight grains, for which no proclamation had been issued, with the silver coin, probably amounting to between three and four millions, supposing the last to be very base, and not worth half its nominal value; the whole, he believed, would not fall much short of twenty millions, a sum far exceeding any thing that had been yet asserted in print respecting any other period.

He dwelt upon the wealth, strength, and high spirit of the nation; talked much of the pitiful figure we made in the beginning of the late war, and afterwards how vigorously we prosecuted, and how gloriously we terminated it. [He alluded to Doctor Brown's Estimate of the Manners and Principles of the times.]

Governor
Johnstone.

Governor *Johnstone* observed, it was a little extraordinary that the gallery should be open on that day, and shut up upon almost every other, since the commencement of the session, on which matters of importance came under discussion. He assured the House, that he was always pleased to see the gallery as full as the convenience of the members would permit; but the admission on such a day as this, which gave the minister an advantage over his opponents, by giving any sentiments as his own, and imputing any sentiments he pleased to others, fully convinced him that his Lordship's influence extended to every matter relative to the conduct and ordering of that House, be the occasion ever so trivial or important. If strangers are to be shut out one day, none can be at a loss to know whence the mandate originated; if the gallery is to be open on another day, it was equally evident to whom the public were indebted for the indulgence. He knew he was disorderly in alluding to such a circumstance, and he should hardly have mentioned it, but for another, which was of no small importance to him, as well as all the other gentlemen on that side of the House. The matter he alluded to was the indirect charges made against them, as if they had villified the nation, questioned its spirit and ability, and drawn comparisons between it and America much to its disgrace, than which nothing could be more false or ill founded. The arguments he alluded to were, he insisted, mis-stated and misrepresented. It was not the courage nor the spirit of the nation that was questioned; it was that the war was unpopular, that the people did not approve of it, that they were cool, languid, and irresolute. He said it was happy for the noble Lord that the people were so, for if it was a foreign war that had been so unsuccessful, that had been so replete with mismanagement

management and misconduct, it would probably by this time have cost the minister his head. He adverted to the very great and heavy expence, and spoke of the present taxes proposed, as only a foretaste of what the people were to expect. He said the war was *diabolical*, but he would not take advantage of an open gallery to declare his sentiments, but he was certain it was an unjust and impolitic war. The noble Lord, and his colleagues in office in that House, had frequently asserted that America would be subdued in one campaign; but he called upon any one gentleman, either in the army or navy, to rise and pledge himself, as a professional man, for the truth of it. He was very certain not one of them would or could. If so, then it would follow that our additional taxes were but just commencing; and if we were to borrow two millions this year, five times the sum would hardly be sufficient to defray the expences of the next year. He observed that the language of the noble Lord had been greatly changed of late. The general tenor of it, for the purpose of inducing the nation to go to war, was, that our burthens were intolerable; that our debt was enormous, our resources exhausted; that we paid seventeen shillings and sixpence in the pound, while America did not and would not contribute a pepper-corn towards the support of those burthens which she had been instrumental in incurring. Now the note is suddenly changed: Britain is the most rich, flourishing, and opulent country on the face of the earth. Her taxes are great, but her resources are immense, and her strength irresistible. He objected to the tax on hackney-coaches and news papers, on the ground of being stated by the noble Lord as articles of luxury. Stage-coaches, he said, were very useful modes of conveyance. They were calculated for the conveniency of the middling and lower orders of people. They were expeditious, and were of national benefit, that of opening a communication between one part of the kingdom and another, which, in a trading, manufacturing nation, was of no small consequence. As to newspapers, he thought the tax had better be laid on the political pamphlets, or rather the political trash, countenanced by government. But if news-papers are an object of luxury, it was a luxury which it would be cruel to deprive those of who thought it so. But even on the noble Lord's own state, he could not think it so great as he represented it. He remarked on the noble Lord's reasonings relative to the ship-news received from Jamaica. He said he had made it his business

to enquire of the captain, and had found it to correspond with what had appeared in the public prints.---His Lordship has said if there had been any foundation for the report, the governor would have sent an account of it. But does it follow, that the report must be false, because the ministry have received no intelligence of it? The ship which brought the news from Jamaica came by the north passage, which was the safest, and frequently the most expeditious; another vessel, with the dispatches, might be on her voyage; and martial law might be proclaimed or it might not; still the fact was not invalidated, of the governor of Jamaica being alarmed by the great force the French had in the West-Indies.

Mr. Fox.

Mr. Fox began with remarking on an observation made by his honourable friend, relative to the opening the gallery on one day, and shutting it every other day during the session, in which public business was transacted. He presumed, the cause was, that the noble Lord over the way could learn to be consistent one day, though not a second day in the year. It gave him an opportunity, besides, to misrepresent what had been said at the other side of the House, by charging them with assertions that never entered their thoughts, reflecting on the spirit of the nation, and the bravery and native courage of its inhabitants.

Sir Fletcher Norton.

Sir Fletcher Norton said he could not sit silent and hear it thrown out as if he had been the means of shutting the doors at sometimes, and opening them at others. He disclaimed the imputation. He said, whatever had been done, was in pursuance of the order of the House; that there was a standing order, that no strangers should be admitted into the gallery, and that frequent applications had been made to him by several gentlemen to have it strictly enforced. If the order was thought to be an improper one, a motion ought to be made to take it into consideration; and if the House thought proper, they might rescind it. Till that was done, or until the House unanimously agreed to relax it, for it would be in the power of any *one* member to move to have the gallery cleared as long as the order stood, it was impossible he could act otherwise.

Mr. Rigby.

Mr. Rigby insisted, that no person of any description had any right to enter into either House of Parliament but the members. He said, that the Speaker had no power to dispense with the standing order no more than any one else; nor did he see what business strangers had at any time in the gallery. He was extremely violent against America, and contended, that Great-Britain ought never to make any specific

cific promise, or agree to any previous conditions, till the people of America threw down their arms; and if they should obstinately persist, Britain ought to persevere till America was subdued. He contended that America aimed at independence. It was plain, from the pamphlet called *Common Sense*, written by a member of the congress.

Colonel *Barré* desired to know if Lord Howe was to go out to America, and whether, if he should, it was intended to arm his Lordship with powers sufficient to treat with the colonies; because he understood from his Lordship, that he would not go, unless he had powers to treat on terms of conciliation. *No answer.*

Lord *North* said he did not mean to assure the House, that the report of advices from Jamaica was not true; but that he did not believe those advices.

Report from the Committee of Ways and Means.

Resolved, That, towards raising the supply granted to his Majesty, the sum of 2,000,000*l.* shall be raised in manner following; that is to say, the sum of 1,00,400*l.* by annuities, after the rate of 3*l.* *per cent.* with an additional capital thereto, in manner herein-after mentioned; and the sum of 600,000*l.* by a lottery, attended with like 3*l.* *per cent.* annuities.

That every contributor towards raising the said sum of 2,000,000*l.* shall in respect of every one hundred pounds by him subscribed, upon payment of 7*l.* to the chief cashier or cashiers of the governor and company of the bank of England, at the times herein after mentioned, have and be entitled to the principal sum of 77*l.* 10*s.* in annuities, after the rate of 3*l.* *per centum per annum*, to commence from the 5th day of April 1776; the first payment thereon to be made for one quarter, from the said 5th day of April 1776, to the 5th of July following; and such contributors, upon payment of the further sum of 3*l.* on each 100*l.* so subscribed, shall have and receive from the said chief cashier or cashiers three tickets (as soon as the same can conveniently be made out) in a lottery to consist of 60,000 tickets, of the value of 10*l.* each, amounting to the sum of 600,000*l.* the whole of which sum shall be distributed into prizes for the benefit of the said contributors, and shall be attended with like 3*l.* *per cent.* annuities, to commence from the 5th day of January 1777.

That the sum of 1,400,000*l.* to be contributed for 3*l.* *per cent.* annuities as aforesaid, together with the additional capital of 7*l.* 10*s.* for every 70*l.* to be paid in to the said chief cashier or cashiers, making in the whole 1,550,000*l.* and the

sum of 600,000*l.* the amount of the prizes in the lottery, shall, from the time of their respective commencements, be added to, and made one joint stock with, the 3*l.* *per cent.* annuities consolidated *per acts* 25, 28, 29, 32 and 33 Geo. II. and by several subsequent acts, and charged upon the sinking fund, and shall be payable (except as to the annuity after the rate of 3*l.* *per cent.* *per annum* to be paid for one quarter to the 5th of July 1776, in respect of the sum of 77*l.* 10*s.* to be allowed each contributor of 70*l.* as aforesaid) and transferrable at the bank of England, and subject to redemption, in the same manner as the said 3*l.* *per cent.* consolidated annuities are payable and transferrable there, and redeemable by Parliament.

That every contributor towards raising the said sum of 2,000,000*l.* shall, on or before the 30th day of this instant April, make a deposit with the said chief cashier or cashiers of the governor and company of the bank of England of 15*l.* *per centum*, on the whole sum by him subscribed, as a security for making the respective future payments to the said cashiers of the bank of England, on or before the times herein after limited, that is to say,

On 1,400,000*l.* for annuities.

15*l.* *per cent.* on or before the 30th of May next.

20*l.* *per cent.* on or before the 28th of June next.

15*l.* *per cent.* on or before the 31st of July next.

15*l.* *per cent.* on or before the 10th of September next.

20*l.* *per cent.* on or before the 24th of October next.

On 600,000*l.* lottery.

25*l.* *per cent.* on or before the 14th of June next.

30*l.* *per cent.* on or before the 10th of August next.

30*l.* *per cent.* on or before the 3d of October next.

and that all the monies so to be received by the said chief cashier or cashiers of the bank of England shall be paid into the receipt of his Majesty's exchequer, to be applied, from time to time, to such services as shall then have been voted by this House in this session of Parliament.

That every contributor, who shall pay in the whole of his contribution money towards the said sum of 1,400,000*l.* to be contributed for the annuities, at any time after the 5th day of July next, and before the 7th day of September following; or on account of his share in the said lottery for 600,000*l.* on or before the 8th day of August next, shall be allowed an interest, by way of discount, after the rate of 3*l.* *per centum per annum*, on the sum so compleating his contribution respectively, to be computed from the day of compleating the same, to the

the 24th day of October next, in regard to the sum paid on account of the aforementioned sum to be paid for annuities; and to the third day of October next, in respect of the sum paid on account of the said lottery.

That, towards making good the supply granted to his Majesty, there be issued and applied the sum of nine hundred and eighty thousand four hundred forty-one pounds, one shilling, and one penny halfpenny, remaining in the receipt of the exchequer on the 5th day of April 1776, for the disposition of Parliament, of the monies which had then arisen, of the surplusses, excesses, and overplus monies, and other revenues, composing the fund commonly called the sinking fund.

That, towards raising the supply granted to his Majesty, there be issued and applied, the sum of one million eight hundred and thirty-seven thousand four hundred and twenty-eight pounds, three shillings, and ten pence, out of such monies as shall or may arise of the surplusses, excesses, or overplus monies, and other revenues, composing the fund commonly called the sinking fund.

That, towards making good the supply granted to his Majesty, there be issued and applied the sum of eleven thousand four hundred forty-four pounds, four shillings, and three pence farthing, remaining in the receipt of the exchequer on the 5th day of April 1776, for the disposition of Parliament, of the monies arisen by the duties on rice exported, the duties on sugars and cambricks granted by an act of the sixth year of his present Majesty's reign, the duty on apples imported, the monies paid by the counties which have not raised the militia, and also of imprest monies repaid there.

That an additional rate, or duty, of twenty shillings *per annum*, be raised, levied, collected, and paid, for and upon every coach, berlin, landau, chariot, calash with four wheels, chaise marine, chaise with four wheels, and caravan, or by what name soever such carriages now are, or hereafter may be, called or known, that shall be kept by or for any person, for his or her own use, or to be let out to hire (other than and except such coaches and other carriages as now are, or hereafter may be, licensed by the commissioners for the duties arising by hackney coaches; which said additional duty of twenty shillings shall, from time to time, be paid down in like manner, and at the same time, and be raised, collected, and paid, by the same means and methods, and under the like rules and penalties, as the annual duty of four pounds, given and granted by an act passed in the twentieth

X x x 2

year

year of the reign of his late Majesty King George the Second, is directed to be raised, levied, collected, and paid.

That there shall be raised, levied, collected, and paid, unto and for the use of his Majesty, his heirs and successors, for and upon every coach, berlin, landau, chariot, calash with four wheels, chaise marine, chaise with four wheels, caravan, or by what name soever such carriages now are, or hereafter may be, called or known, that shall be kept by or for any person, and employed in carrying passengers for hire to and from different places within this kingdom, as public stage coaches (other than and except such coaches and other carriages as shall be licensed by the commissioners for the duties arising by hackney coaches) the yearly sum of five pounds for every such coach, berlin, landau, chariot, calash with four wheels, chaise marine, chaise with four wheels, and caravan, or by what name soever such carriages now are, or hereafter may be, called or known, so to be kept and employed as aforesaid, the said duties to be paid by the person or persons who keep the same.

That, towards raising the supply granted to his Majesty, an additional stamp duty of one shilling be charged for every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be engrossed, written, or printed, any indenture, lease, bond or other deed (for which a stamp duty of one shilling is payable by virtue of an act made in the 30th year of his late Majesty) over and above the several duties now payable thereon.

That, towards raising the supply granted to his Majesty, an additional stamp duty of one halfpenny be charged upon every news-paper printed in Great Britain, to be dispersed and made public, over and above the duties now payable thereon.

That, towards raising the supply granted to his Majesty, an additional stamp duty of six pence be charged upon every pack of playing cards made fit for sale or use in Great Britain, to be paid by the maker thereof, over and above the duties now payable thereon.

That, towards raising the supply granted to his Majesty, an additional stamp duty of two shillings and six pence be charged upon every pair of dice made fit for sale or use in Great Britain, to be paid by the maker thereof, over and above the duties now payable thereon.

That such of the monies as shall be paid into the receipt of the exchequer, after the 5th day of April 1776, and on or before

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D E B A T E S.

491

before the 5th day of April 1777, of the produce of the duties charged by two acts made in the fifth and fourteenth years of his present Majesty's reign, upon the importation and exportation of gum Senega and gum Arabic, be applied towards making good the supply granted to his Majesty.

Ordered,

That bills be brought in upon the said resolutions.

April 25.

The resolutions from the committee of supply being read, Mr. *Hartley* observed, that the accounts were at once *Mr. Hartley,* the most slovenly and delusive he ever saw laid before that House. That, unwilling to take up the time of the House to no purpose, he should just make an observation or two relative to the immediate probable effects of the present war; that is, that the end of this year would nearly leave us in the same situation we were at the conclusion of the late peace; and that another campaign, computed at the same expence as that of 1776, would leave us fourteen millions in debt, which was five more than were cleared off at the end of thirteen years peace.

Mr. *Vyner* observed, that the coach act had a clause in it *Mr. Vyner,* which enabled the collectors to compound with such as had more than five carriages for 20*l. per annum*; he therefore hoped the composition would be raised in proportion, that the compounders might not escape the effect of the proposed tax; for it might be presumed that those who kept the greatest number of carriages, would be best able to pay the tax.

Lord *North* said, it would be time enough to speak of that *Ld. North,* when the bill imposing the tax should come before the House. When that time should arrive, he proposed to move that the composition in future should be 25*l. per ann.*

Mr. *Vyner* stated a complaint against the Lord Great Chamberlain, for shutting up the avenues to the House during the trial of the Dukes of Kingston, in Westminster-Hall. That he and many other gentlemen wanted their votes and letters, and could not get them. He was certain the conduct of that officer was unprecedented; he should therefore be glad to know by what new authority he acted. *Mr. Vyner.*

Sir *Gilbert Elliot* said, he wished the honourable gentleman would refrain making any motion for a few days, because *Sir Gilbert Elliot,* it would be proper to gain full information on the subject before the House came to any resolution, and be sure first what was the ancient and established usage in such cases.

Mr.

Mr. *Vyner*.

Mr. *Vyner* said, he readily acquiesced in the justice of the honourable gentleman's reasoning; he should therefore wave his motion for the present, but he should take care, however, in the course of a few days, to move for a committee of privileges and elections, to enquire into the antient mode of proceeding, and if it had been varied, or the privileges of the House infringed, he would certainly follow it with such other motion as he should think the particular circumstances of the case required.

Sir *James Lowther*.

Sir *James Lowther* then made the following motion, pursuant to the notice given by him previous to the Easter recess, "That it is the opinion of this House, that the introducing of foreign troops into any part of the domions of the crown of Great-Britain, without the previous consent or approbation of the Parliament of Great-Britain, is contrary to the principles of the constitution, and not warranted by law." He gave an historical detail of the introduction of foreigners into this kingdom since the earliest periods of the monarchy, and shewed that it had always been looked upon to be illegal and unconstitutional to introduce foreign troops into the kingdom without the consent of Parliament. He said, all our liberties would be no more than a shadow, if such things were permitted or maintained on the ground of prerogative, for instead of a limited, the very nature and effect of such a pretended claim in the crown, would render this government an absolute monarchy. Among the points he most urged, was the conduct of King William's Parliament towards his Dutch guards, and the sense the nation had of the law at the time of its being passed; and that construction which the framers of the bill of rights law immediately gave it, was to him the fullest proof that the obvious construction of the law as it now appeared, was likewise the intention of those who passed it, which was, that no foreigners could be constitutionally introduced into this country without the consent of Parliament.

Gov. *Johnstone*.

Governor *Johnstone* seconded the motion, and was extremely pointed and severe on Lord North. He insisted his Lordship had insulted the nation, and that House in the manner of conducting the indemnity bill. The preamble was no better than a mere farce, and it was all along conducted in that light in the House; so the fate it met with in the other shewed how little the minister, when his turn was served, regarded the wishes of either his friends or his enemies.

Mr.

Mr. *Cosmo Gordon* said, it was an improper time to take any step which might have the appearance of passing a censure on his Majesty's ministers; and though he did not entirely approve of the measure, the motion was intended to condemn, yet he believed the ministers always acted according to the King's inclinations. He said, he would not move the previous question, because he had done it upon the honourable gentleman's former similar motion (*see page 121*) but he hoped somebody else would.

The right honourable *T. Townshend* spoke of the danger of bringing foreigners into the British dominions, without the consent of Parliament. It was a new experiment, and should have been adopted with great caution. It is true, foreigners were taken into the British pay in every war since the Revolution; but it made a very great difference, in hiring them to fight our battles on the continent, or to defend their own dominions, and introducing them into the British empire; perhaps not long before it would be for the purpose of defending this very capital. The mode, he said, of recruiting the British troops with foreigners was besides extremely exceptionable. They were enlisted in the Hans towns, which were known to be the asylum of all the rogues and vagabonds of the rest of Germany; men who had fled their respective countries for their crimes. When such men therefore came to serve in America, to suppose that they would fight cordially for this country, and for its right, was folly and absurdity in the extreme: They would certainly enlist with the best pay-master, or join with that party which held out the best prospects of improving their present situation or future fortunes. He said, what made him the more solicitous about the success of the present motion was, that he understood the measure of introducing foreign troops had not been supported upon the ground of necessity, or the exigencies of affairs, but had been expressly maintained by several eminent lawyers as a positive unconditional prerogative inherent in the crown.

Lord *Mulgrave*, in answer to Sir James Lowther, said the facts alluded to by that gentleman did not mean the dominions of the crown at large, but were specifically confined to this country. He therefore did not conceive that any law or usage whatever, reached the present case, or could prevent the King from bringing foreigners into any part of the dominions of the crown he pleased, Great-Britain excepted.

The

Lord Advocate of Scotland.

The Lord *Advocate* of *Scotland* wished to let matters rest upon their former footing. The usage had always been, that the crown had a right to exercise the discretionary power now objected to ; but as the motion stated was not one that ought to have a direct negative put upon it, he should move the previous question. He said, on which side the law lay he would not pretend to determine ; but, for his part he should think a minister very inexcusable and blame-worthy, who did not, when the exigencies of the state, and the most important interests of his country were at stake, venture even to transgress the exact limits and bounds of the law ; and in such a case he was sure Parliament would cheerfully indemnify him. And if Gibraltar and Minorca, for want of a sufficient defence, had fallen into the hands of the French and Spaniards, he would be one of the first that would give his vote for hanging that minister who neglected to procure foreigners for their security were it in his power.

Mr. Dunning.

Mr. *Dunning* confined himself chiefly to the definition of the law, and shewed, that if interpreted in the manner contended for on the other side, 100,000 Russians or Germans might be introduced into Scotland, because Scotland at the time of passing the bill of rights formed no part of this kingdom.

Serjeant Glynn.

Mr. Serjeant *Glynn* said, that the motion now made became more necessary by throwing out the indemnity bill ; it was a proper motion to prevent the measure of introducing foreigners without the consent of Parliament, having the full weight and authority of a precedent.

Mr. Attorney General

Mr. *Attorney General* said, that ministers always do things at their own peril when they over-step the law. It was therefore idle to be talking or insisting on the legality or illegality of the measure ; if they should act in a manner not warranted by the constitution, Parliament were the best judges, and would proceed to acquittal or condemnation, according to the nature of the case.

Mr. Fox.

Mr. *Fox* said, that it was illegal for one part of the legislature to sanctify the introduction of foreigners. Parliament were the proper judges of the measure.

Hon. T. Luttrell.

Honourable *T. Luttrell* shewed, that the sending home the Dutch guards, was in consequence of the conduct of James, not any real jealousy the nation entertained of King William.

The previous question was put, that the question be now put. The House divided, ayes 88 ; noes 149.

April

April 26.

The House resolved itself into a committee, to consider of a more effectual method of securing the freedom of elections of members to serve in Parliament; but came to no resolution.

Adjourned to April 29.

April 29.

Report of committee of ways and means. No debate. In committee on Shaftesbury incapacitating bill; to sit again.

April 30.

Mr. *Vyner* complained of a breach of privilege committed Mr. *Vyner*. by the Lord Great Chamberlain, who, during the trial of the Duchess of Kingston, had shut up all the avenues to the House.

Sir G. *Elliot* said, the noble Duke, [Duke of Ancafter] had Sir G. *Elliot*. assured him it proceeded from mistake.

Mr. *Seymour* mentioned, that a member of the House Mr. *Seymour* [Lord Barrington] had been called upon to give evidence at the trial without leave of the House.

Mr. *Townshend* said, leave of the House ought to have Mr. *Townshend*. been first asked.

Mr. Alderman *Wilkes*. The veneration with which I am Mr. Alderman *Wilkes*. deeply impressed for the constitution of my country, the love and affection of a native to the noble privileges, the laws and liberties of England, as well as duty and gratitude to the much injured freeholders of Middlesex, are the powerful motives of my again troubling the House with a question so frequently agitated within these walls, and so fully discussed even the last session, although not hitherto followed with the success I hope on the present occasion.

The profligacy, venality, and daring attempts against liberty of the last House of Commons, have made their memory odious to the people. The annals of our country are disgraced with their various violations of the rights of the subject. I shall now confine myself to a single case, but it was of the blackest nature and deepest dye, branched out into many enormities, and still demands ample attonement. I allude to the various resolutions respecting the elections for the county of Middlesex, and the seating Mr. Luttrell in the House, although he had confessedly only a minority of the suffrages of the freeholders, in whom the constitution has placed the right of election. While these resolutions, Sir, remain among our records, I consider a precedent established under the sanction of this House of Parliament to rob not only a whole county, but the entire collective body of electors of this kingdom of their birthright, and most valuable

ble inheritance. It is a precedent, which may be brought home to every borough, city, and county, to every freeholder, every elector in the island.

The facts were fully stated to the House in the debate on this subject the last year, and I am persuaded they live in the memory of every gentleman. I shall desire the Clerk to read only one resolution. It is that of February 17, 1769, "That John Wilkes, esq. having been, in this session of Parliament, expelled this House, was, and is, incapable of being elected a member to serve in this present Parliament."

This declaration, in my opinion, transfers from the people to this House the right of election, and by an unbounded, uncontrouled exercise of the negative power, the House in effect assume the positive right of making whom they please the representatives of the people in Parliament. I am very ready to admit that there are various natural and legal incapacities, and when the party is subject to any one of them, he is not eligible. Aliens, minors, bishops, are incapable of being elected into a House of Commons. Besides these, there are other incapacities arising from the peculiar circumstances of the case, and some created by particular statutes. Where however there is no natural or legal disability, the capacity of being elected is the inherent right of every freeman of the realm, and he cannot be divested of it without an equal injury to the party, and to the constituent, in whom the power is constitutionally lodged of determining whom he thinks the most fit and proper person to act for him in the great council of the nation. The declaration of the House therefore that any man, duly qualified by law, shall not be allowed to sit in Parliament as a representative of the Commons of the realm, was assuming to themselves the making a new law, to which only the three estates are adequate. It was disfranchising a whole county, and consequently in effect the united kingdom.

The public attention has been so long fixed on this important business, that it would be the weakest and vainest presumption in me to attempt any new arguments in support of a right acknowledged by every man, who is not interested in the subversion of all our rights, liberties, and franchises. I shall not enter on a dull repetition of the debates, which for the last seven years have come on every session, nor repeat a multitude of cases and precedents; but while I have a seat in this House, I pledge myself to my country, that I will be firm and unwearied in my endeavours, till every syllable on our journals, which marks the injustice done to the freehol-

ders of Middlesex, and to every elector in the island, be fully erased or obliterated.

Since the debate, however, on this question in the last session, almost within a fortnight after, a case respecting the election at Abingdon was determined here in a manner diametrically opposite to one part of this pretended law of Parliament, solemnly laid down by all the advocates of the ministry in the affair of Mr. Luttrell. They argued, that all the votes given to Mr. Wilkes were thrown away, because they were given, as they asserted, to a person labouring under a legal incapacity, and consequently Mr. Luttrell, with only 296 freeholders, was entitled to his seat in preference to the other candidate with 1143. The majority of the electors of Middlesex, Sir, fully answered this argument in that remarkable petition presented to the House by the worthy baronet near me, on the 29th of April, 1769, in which they asserted, “that Mr. Luttrell had not the majority of legal votes; nor did they, when they voted for Mr. Wilkes, mean thereby to throw away their votes, or to wave their right of representation, nor would they, by any means, have chosen to be represented by Mr. Luttrell.” Notwithstanding this petition, the House, on the 8th of May following, declared Mr. Luttrell duly elected. Now let us examine the still more recent case of the Abingdon election, the determination of the select committee, with all the proceedings of the present Parliament. I will state them briefly, and shall afterwards desire the clerk to read from the journals the more important passages. Mr. Bayley’s petition was presented to this House on the 6th of December, 1774. It was confined to one single objection, the legal disability of the other candidate, no accusation of bribery or corruption, riots, unfair practices, or illegal votes, being exhibited. It stated, “that at the place of election, and before the taking of the poll, the mayor of the said borough and the other electors were publicly told, that as the other candidate, Mr. John Mayor, was then high sheriff of that county, he was incapable of being chosen a member to represent the said borough in this present Parliament, and that all votes given for the said high sheriff would be thrown away; notwithstanding which, the mayor of the said borough did himself vote, and also received the votes of divers other persons for the said high sheriff; and that the said high sheriff hath returned himself as duly elected for the said borough, in manifest prejudice of the petitioner, who, being the only candidate capable of being elected, ought to have been returned.” The facts, as stated

in the petition, were admitted, as well as the numbers at the close of the poll, for Mr. Mayor 146, for Mr. Bayley only 116. The great question was, whether, if Mr. Mayor was not eligible, the votes for him were thrown away, and Mr. Bayley, who had not the majority of electors, should be declared duly elected? The select committee, on the 6th of March, 1775, reported, that neither Mr. Mayor, nor Mr. Bayley, was duly elected, and that the election was void. The House immediately directed a new writ to issue for Abingdon. The ministerial advocates, who insist on Mr. Wilkes's legal incapacity, can scarcely find a case more exactly parallel. It is equalled only by the well known precedent of Mr. Walpole, and Mr. Taylor, in 1711. Yet the burgeses of Lynn were not insulted, by having a gentleman declared their representative, whom they never elected. The Abingdon case was of the most public notoriety. The returning officer, and all the electors of Abingdon, were publicly informed of Mr. Mayor's legal incapacity. Mr. Bayley polled near half the voters of that borough. His opposition however being not to a friend of liberty and the people, but the attack made on a subaltern in the ministerial forces, he had little chance of being an adopted child of the House, or of a committee selected from the present majority.

The arbitrary resolution on our journals, and the appointment of Mr. Luttrell, I consider as an absolute surrender of the constitution to the minister. The laws of the land are of no avail, when this House alone can make a new law, adapted to the caprice, violence, or injustice of every emergency, and when representation in Parliament no longer depends upon the choice of the electors. The people of England may in vain assemble with the fond hope of effectually exercising their noblest franchise, if the object of their choice is really what he ought to be, an independent friend of liberty, superior to menace or corruption. The minister has found out a way to baffle them in all their proceedings. He may, on any pretence, however frivolous, procure an expulsion, and expulsion, we know, means incapacitation; so that during a long period of seven years, the favourite object of a county's choice may be kept out, and the nominee of a minister be declared to represent a populous county. Can there be a more solemn mockery of the rights of a free people?

While such arbitrary resolutions as those respecting the Middlesex elections remain on our journals, I think the minister holds high the rod of vengeance over the head of every member of this House. He stands here with an uplifted arm,

sublimi

sublimi flagello, to punish the refractory, and almost every action of the majority seems to betray their being either swayed by the dastardly passion of fear, or corrupted by the mean principle of reward. We are governed by Solon's plan, *præmio et pœna*, as Cicero has summed it up in two words. Is a member obnoxious or refractory? Accuse him of a libel, or any other crime; then vote away your own privileges to get at him; and before the cause can come to a trial by a jury of his countrymen on oath, examine two or three partial and well-instructed witnesses under no such sanction, and you may proceed immediately to expulsion; you then vote him incapable of being re-elected, and you take the creature of the minister in his place, and declare him a representative of the people. A House of Commons may in this manner be so garbled, as not to contain a single fair and honest representative, elected according to the law of the land.

The motion of expunging from our records the resolutions of which I complain, I know is considered by some gentlemen as a violent measure. The case, I think, requires the most spirited mode of redress, and I wish for as full atonement to the people as possible. The last Parliament gave us an instance of expunging from our journals what never ought to have been moved in this House, the thanks to a stupid tory parson for a libel on the Revolution, and the present establishment, in a sermon preached on the anniversary of the merited death of the tyrant, Charles I. If so trifling a business as a foolish sermon, neither heard or read by a score persons, called for so spirited a measure, can it be deemed improper or violent, when the rights of all the electors of the kingdom have been openly invaded, and the usurpation justified by gentlemen in the highest offices under the crown? The circumstance is truly alarming, and demands the utmost exertions of an honest zeal and generous ardour for the public.

I own I am not so nice and scrupulous about preserving every line of the immensity of the learned lumber of our journals. They are become the mere registers of the edicts of the minister, of turnpike roads, enclosures, and matters of private business. There are many whole pages disgraceful to the nation among our trivial, fond records. My heart bleeds when I read all the unjust and inhuman resolutions against our fellow subjects in America, the fleets and armies voted for the vain attempt of subduing the unconquerable spirit of liberty among the descendants of Englishmen; and when I reflect on the subsequent proceedings, the barbarous and savage manner in which you have carried on the war, by attempting to starve thousands of industrious fishermen, and labouring

bouring poor, with their families, as well as the burning open and defenceless towns and villages, I wish, for the national humanity and honour, which formerly stood so high, these black pages of our journals, and every trace of the cruelties and horrors which followed, were obliterated from the records of this House, of this kingdom, of the human race.

In justice to the usurped and violated rights of this country, in a full sense of duty to all my brother electors at large, and to prevent the most fatal and pernicious precedent being ever used by a wicked and ill-designing minister to the destruction of the sacred right of election, of national freedom and independency, I move, "that the resolutions of the House of the 17th of February, 1769, that John Wilkes, Esquire, having been in this session of Parliament expelled this House, was and is, incapable of sitting in the present Parliament," be expunged from the journals of this House, as being subversive of the rights of the whole body of electors of this kingdom.

Mr. Serjeant *Glynn* seconded the motion.

Mr. *Baldwin* and Mr. *Moysey* spoke on the same side.

There was no reply.

The House divided ; for the question 92, against it 186.

Order for second reading of the bill for preventing the plundering of shipwrecked vessels.

Mr. *Rice*.

Mr. *Rice* sincerely wished that something might be devised to put a stop to so barbarous a practice ; but as the bill proposed to lay a penalty on the hundred where the wreck happened, by way of indemnification, he could not consent to it, nor could he consent to it though the money were to be raised on the country at large ; but notwithstanding he was against the provisions of the bill, he was not averse to the intention, which was that of putting a stop to so great an evil. He should therefore be for sending the bill to a committee, that gentlemen might have time to consider it. He presumed that nothing would answer the purpose better than pursuing some plan which might be the means of procuring early and timely information, but he would for his part never consent that the loss should be made good either by the county or the hundred.

Ld. *Mulgrave*.

Lord *Mulgrave* said, for the honour and reputation of the nation he would be almost for any bill which would promise to prevent such a scandalous practice ; that when vice is become so flagrant, the only way to curb it is by punishments properly suited to the nature of the offence ; that none would answer so well as compelling people by motives of mere interest

rest to acts of humanity ; that every man who lived in the hundred where the ship was wrecked, if the loss was to be made good by the hundred, would find an interest in protecting the wreck, for by so doing he would protect his own property ; that this was the very reason why the hundred was compelled to make good robberies committed on the highway, in order to make them more ready to assist in apprehending the offenders, or more active in discovering them.

Mr. *Mackworth*. As the whole House seemed to be agreed in the principle of the bill, he did not see how any gentleman could consistently object to its being sent to a committee.

Mr. Serjeant *Adair* observed, that pecuniary temptations should be restrained by pecuniary punishments.

Mr. *Harris* said, it was directed against the innocent as well as the guilty, and it was a maxim in law, common sense, and morals, that it was always better that two guilty persons should escape, than one innocent person suffer. What was the rule here laid down ? A few of the most profligate persons in a hundred were to profit by public rapine and plunder, and all the reputable industrious inhabitants, persons who abhorred the act as much as those really plundered, were to be made responsible for the loss.

Mr. *Whitworth* said, this country was the only civilized country under heaven where such outrages were permitted, without affording redress to the injured party.

Mr. *Henniker* said, he had a ship wrecked on the northern coast of England, where gentlemen in the neighbourhood gave every assistance in their power, but to very little purpose. He had another wrecked on the coast of the Mediterranean, where he had every thing returned that was saved, and when he offered a gratuity for the trouble, the answer he received was, " No, you have already lost enough in the loss of your ship, we will take nothing."

Mr. *Wallace*. Whatever our private virtue might be, we should at least assume the appearance of public virtue ; for this was the only country in Europe, in which such inhuman practices were suffered, without public punishment, or public redress.

Sir *George Savile* painted, in strong colours, the inhumanity of rendering the miserable and wretched still more so. As to the hardship of punishing the innocent, the argument had the appearance of plausibility, and that was all ; for no particular man had a right to complain, when they all were to feel the effects of the law indiscriminately, and that for public good, and private indemnification.

Mr. *Sawbridge*.

The Lord Mayor [Mr. *Sawbridge*] said, it would be exceedingly cruel to make gentlemen pay for matters which it was not in their power to prevent. He observed, that the hon. gentleman who patronized the bill, had omitted Scotland in the bill; and the gentlemen of that country had retired, as not being interested; but he assured such as remained in the House, that if the present bill should pass, he had not a doubt but it was intended to take them in by including that country in a more general law, to be brought in at a more convenient occasion.

Lord Adv.
of Scotland.

Lord Advocate of *Scotland* said, that every other country in Europe had provided a remedy for this terrible calamity but these kingdoms.

Gov. *Pownall*.

Governor *Pownall* observed, that if the present bill was brought forward under any such idea, it was a total mistake through ignorance of the remedies which the laws with very severe penalties had provided against this most cruel and savage of all crimes. If these were not understood or not sufficient, a bill to explain and amend them was the proper method, in which he would readily give his assistance.

But he objected to the principle of this bill. It reasons, which is its principle, that because in many cases the county or hundred, which do not prevent certain crimes, or bring to punishment the proprietors of them, are made liable to make good the damages incurred; so it is proper and just that in this case of plundering ships wrecked they should likewise be made liable. In the first case, they have jurisdiction to prevent and punish, therefore it is proper. In this case, they have neither power or jurisdiction, and therefore it would be both improper and unjust. The law hath put these matters under the jurisdiction of the courts of vice-admiralty. There are no divisions of counties or hundreds below low-water mark. It would be impossible to lay the facts. The jurisdiction would be impracticable; and the attempt to execute this law, should it pass, would confound all jurisdiction. There is no analogy in the case, though the principle of the bill proceeds on the supposed analogy. It is therefore a total misapplication of a very just and wise principle, to cases where it does not and cannot apply.

Mr. *Van*.

Mr. *Van* called it a black bill, and insisted that it might be productive of the grossest fraud and imposition.

Mr. *Medley*.

Mr. *Medley* spoke to many instances in fact to the same purpose.

Mr. *Burke*.

Mr. *Burke* said, when he moved for leave to bring in the bill, the House seemed to be almost unanimous; but now he

perceived that gentlemen had changed their minds, he must submit; for he perceived the bell had rung the departing knell of his bill. He shewed from the French laws, what great advantages they had over ours, in respect of ships wrecked on their coasts. He observed, that gentlemen affected great caution in the present case, though it was well known we had laws enacted on the most trivial occasions. We had some against pulling a stake out of a hedge; others against touching paling; others, still more extraordinary, against disturbing a thorn. All those, according to the language held this day, were, it seems, of more consequence in the estimation of some gentlemen, than the destroying, pillaging, or purloining the cargo of a vessel worth several thousand pounds.

The question was put, and the House divided on the second reading, ayes 43, noes 55.

May 1.

New tax bills brought in. No debate.

May 2.

The Lord Mayor [Mr. Sawbridge] moved, that a committee be appointed to enquire into the use which the commissioners of the admiralty have made of the power to grant licences to such ships and vessels as shall be actually retained or employed in his Majesty's service; or to such ships and vessels as shall be laden with provisions for the use of his Majesty's fleets, armies, or garrisons, or for the use of the inhabitants of any town or place garrisoned, or possessed by any of his Majesty's troops, given them by an act entitled, An act to prohibit all trade and intercourse with the colonies of New Hampshire, Massachuset's Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, the three lower counties on Delaware, Maryland, Virginia, North and South Carolina, and Georgia. In support of his motion, he enumerated several species of goods sent under the authority of those licences, particularly woollen and linnen cloaths of all kinds and values, painters colours, leather, tin plates for tinnerns work, sweet oil, &c. none of which, he presumed, would be brought within the description of food, according to the obvious construction of the act, besides Scotch snuff, and abundance of other things.

Governor *Johnstone* seconded the motion. He said, it always had been the care of that House, to prevent monopolies of every kind. He quoted an act passed in the reign of Edward III. against the monopolies, and gave several instances

of their ruinous and destructive effects, particularly in the reigns of Elizabeth, James, and Charles the First, during which times they were granted to the tools and emissaries of the court, and were the constant engine of court favouritism. He said, in Mr. Pelham's administration two persons were proceeded against with the most commendable rigour, one of them being obliged to fly the kingdom, and the other, Leheup, was removed from his places, and the Attorney General received directions from the House to prosecute him on the statute.

Lord North. Lord North said, that two vessels only had sailed before the licences were recalled; for as soon as it was known at the admiralty that improper uses had been made of them, all those already granted were immediately superseded or altered. Applications, it is true, were first made to the admiralty; those applications were referred to the treasury-board, and in a few instances liberty was given to export more than provisions, but it was apparently on the best grounds.

Sir Grey Cooper. Sir Grey Cooper said, that no application had been made to him for leave to transport calves, or any other kind of live stock, for that any permission of that kind given, was purely on the idea of the necessity of supplying the army in Boston with fresh provisions.

Mr. Buller. Mr. Buller (of the admiralty) defended the conduct of that board; said, that the few articles licensed for exportation were not objects of commerce, but only such as it was impossible for the troops to do without.

Lord North. Lord North assured the House, he had no objection to the proposed enquiry, but he thought, if that should appear to be the sense of the House, he was of opinion that the matter should be taken into consideration of a committee of the whole House, rather than by a select or open committee out of it.

Agreed to be a committee of the whole House on the 8th of May.

Lord North, by his Majesty's command, laid the following treaty before the House.

Translation of a Treaty between his Majesty and the Prince of Waldeck, Signed at Arolsen, the 20th of April, 1776.

BE it known to those whom it may concern, that his Majesty the king of Great-Britain having judged proper to accept

cept of a body of infantry of the troops of his Most Serene Highness the reigning Prince of Waldeck, to be employed in the service of Great-Britain, the high contracting parties have given their orders on this subject to their respective ministers, to wit, his Britannic Majesty to Colonel William Faucitt, Captain in the Guards; and the Most Serene Prince of Waldeck to his Privy Councillor, and President of the Regency Frederick Lewis Wiepert de Zerbst; who, after the exchange of their respective full powers have agreed upon the following articles.

ART. I. The said Most Serene Prince yields to his Britannic Majesty a corps of infantry of six hundred and seventy men, which shall be at the entire disposition of the King of Great-Britain, to be employed in his service on the same footing as the other German troops both in Europe and in North America. The regiment shall moreover be provided with two pieces of field artillery, with two bombadiers, twelve gunners and other attendants, and the train thereto belonging.

ART. II. The Most Serene Prince engages to equip this corps compleatly, and that it shall be ready to march at the latest, on the 6th of May next. The said corps shall pass in review at the place of embarkation, before his Britannic Majesty's commissary.

ART. III. The Most Serene Prince engages to furnish the recruits annually necessary. These recruits shall be delivered to his Britannic Majesty's commissary disciplined and compleatly equipped; his Most Serene highness will do his utmost for the whole to arrive at the place of embarkation at the time which his Majesty shall appoint.

ART. IV. His Majesty's service and the preservation of the troops requiring equally that the commanding officers and subalterns should be perfectly skilled in the service, his Most Serene Highness will take proper care in the choice of them.

ART. V. The Most Serene Prince engages to put this corps on the best footing possible; and no men shall be admitted therein but such as are fit for field-service, and acknowledged as such by his Britannic Majesty's commissary.

ART. VI. This corps shall be furnished with tents and all necessary equipage.

ART. VII. The King grants to this corps the ordinary and extraordinary pay, as well as all the advantages in forage, provision, winter-quarters and refreshments, &c. enjoyed by the Royal troops; and the Most Serene Prince engages to permit this corps to enjoy all

the emoluments of pay which his Britannic Majesty allows them. The sick and wounded of the said corps shall be taken care of in the King's hospitals, and shall be treated in that respect, as the troops of his Britannic Majesty; and the wounded, not in a condition to serve, shall be transported into Europe, landed in some port on the Weser, and sent back to their own country at the King's expence.

ART. VIII. There shall be paid to his Most Serene Highness as levy-money, for each foot soldier as well as gunner, thirty crowns *banco*, the crown to be reckoned at fifty-three sols of Holland, one half of this money shall be paid in three weeks after the signature of the treaty, and the other half in two months after the signature.

ART. IX. According to custom three wounded men shall be reckoned as one man killed, a man killed shall be paid for at the rate of the levy-money. If it should happen that any company of this corps should be wholly or in part ruined or destroyed, or that the pieces of artillery or other effects with which it might be furnished, should be lost by accident, his Majesty the King of Great-Britain shall cause the expence of the necessary recruits to be paid, as also the value of the said field-pieces and effects, to re-establish this corps and its artillery immediately.

ART. X. The Most Serene Prince reserves to himself the nomination to the vacant employments, as well as the administration of justice. His Britannic Majesty will give orders to the commander in chief of the army in which this corps shall serve, that he does not require from this corps any extraordinary services, or such as are beyond its proportion with the rest of the army; and when it shall serve with the English troops or other auxiliaries, the officers shall command (as the military service requires of itself) according to their rank, and the seniority of their commissions, without making any distinction with regard to what corps the troops may belong, with which they shall serve in conjunction. This corps shall take the oath of fidelity to his Britannic Majesty, without prejudice to that which they have taken to their own Sovereign.

ART. XI. All deserters from the Waldeck regiment shall be faithfully and immediately given up wherever they may be found, in the places dependent on his Britannic Majesty; and especially, it shall not be permitted, as far as is possible, that any of the subjects whatsoever of his Most Serene

Serene Highness establish themselves in America without the consent of their Sovereign.

ART. XII. The pay shall commence fifteen days before the march of this body of troops, and as soon as the troops shall have quitted their quarters, to repair to the place of their destination, all the expences of their march and transport shall be at the charge of his Britannic Majesty.

ART. XIII. His Britannic Majesty shall grant to the Most Serene Prince, during all the time that this body of troops shall be in his Majesty's pay, an annual subsidy of twenty-five thousand and fifty crowns *banco*: his Majesty shall cause notice of the determination of the said subsidy to be given a whole year before it shall cease to be paid, provided that such notice shall not be given till after the return of the troops into the dominions of his Most Serene Highness.

This treaty shall be ratified by the high contracting parties, and the ratifications thereof shall be exchanged as soon as possible.

In testimony whereof, we the undersigned, by virtue of our full powers, have signed the present treaty, and have affixed thereto the seals of our arms. Done at *Arolsen*, this 20th of *April*, 1776.

(L. S.) *William Faucitt.*

(L. S.) *Frederick Louis Wiepert de Zerbst.*

State of the Regiment of his Most Serene Highness the reigning Prince of Waldeck.

STAFF.

- 1 Lieutenant-colonel
- 1 Major
- 2 Captain-lieutenants
- 1 Assistant-major
- 1 Auditor
- 1 Quarter-master
- 1 Chaplain
- 1 Surgeon-major

STAFF.

- 1 Drum-major
- 4 Hautboys or fifes
- 2 Provost and his servant
- 1 Servant for the carriage with the military chest
- 1 Servant for the carriage with the medicine chest.

—
18

Company of Grenadiers.

- 2 Captain and his servant
- 2 First Lieutenant and his servant
- 2 Second Lieutenant and his servant

Company of the Regiment.

- 2 Captain and his servant
- 2 First Lieutenant and his servant
- 2 Ensign and his servant

Company

<i>Company of Grenadiers.</i>	<i>Company of the Regiment.</i>
1 Surgeon	1 Surgeon
3 Serjeants	3 Serjeants
1 Fourier	1 Fourier
1 Capitaine d'Armes	1 Capitaine d'Armes
6 Corporals	1 Standard bearer
3 Drummers	6 Corporals
2 Fifres	3 Drummers
1 Solicitor	1 Solicitor
110 Grenadiers	107 Private men
-----	-----
134 Men	130 Men
2 Bombadiers	390 Of three other compa- nies
12 Gunners	134 The company of Gre- nadiers
2 Three pounders	16 Of the staff

	Total 670

Ld. North. Lord *North* presented the following message from his Majesty.

G E O R G E R.

His Majesty, relying on the experienced zeal and affection of his faithful Commons, and considering, that, during the present troubles in North-America, emergencies may arise, which may be of the utmost importance, and be attended with the most dangerous consequences, if proper means should not be immediately applied to prevent or defeat them, is desirous that this House will enable him to defray any extraordinary expences incurred, or to be incurred, on account of military services, for the year one thousand seven hundred and seventy-six, and as the exigency of affairs may require. And his Majesty, having judged it expedient to issue his proclamation, in pursuance of an act of Parliament, passed in the fourteenth year of his reign, for calling in the remainder of the deficient gold coin, doubts not but that his faithful Commons will enable him to make good the charges which shall be incurred in this service, and which cannot at this time be ascertained.

G. R.

Referred to the committee of supply.

May 3.

Second reading of the bill for altering the punishment of felons. No debate. Adjourned to May 6.

May

May 6.

Colonel *Barré* held a paper in his hand, which he informed the House he had cut out of the London Gazette, and which he said contained the only account or reason assigned for the British troops quitting Boston; therefore he moved, "That an humble address be presented to his Majesty, that he will be graciously pleased to give directions to the proper officers to lay before this House copies of the last dispatches and of all dispatches received from the 1st of March last from General Howe, and Vice Admiral Shulldham, in order that this House may have full and authentic information of the present state of the war in North-America, before they proceed to grant any further supplies for the carrying on said war." He had been informed, that there was a capitulation concluded between General Howe and General Washington, through the intervention of the select men, by which General Howe was to leave his stores and not to burn the town; but the Gazette did not mention this circumstance; nor gave the public any reason for General Howe's quitting Boston. He said the only paper published by authority was become a disgrace to the nation: that the most shameful efforts had been made to mislead the people without doors, but what was of infinitely worse consequence to the nation at large, that House had been grossly misled in every communication which had come from his Majesty's servants, and whenever any degree or species of information had been desired, it was constantly refused. He appealed to the candour and feelings of the two noble Lords in office, if ever such a conduct, in any situation of things, or upon any pretext or emergency whatever, was before adopted by any administration. He was certain such a procedure could not continue much longer to be endured. Here, says he, we have already voted upwards of nine millions. We are going to give a vote of credit for another million. I dare say, inaccurate as the minister is in his general assertions, he will hardly venture to rise and pledge himself to the House, that five millions more will defray the expences of the present campaign: What then, in the name of decency, are we about? Shall we vote fifteen millions of the public money, without knowing whether there is the least prospect of success? No, it is impossible: I think I see the noble Lord relent, and tacitly confess at once the propriety and necessity of informing the representatives of the people what they are to expect, and what are the obstacles on one hand, and the prospects of success on the other, in the
further

further prosecution of this burthensome, cruel, and unnatural war. I know the noble Lord's power is great, and his influence extensive; but however willing the majority of this House may be to obey his mandates, I trust that the noble Lord, as well for the sake of saving common appearances, as for his own eventual personal safety, will vouchsafe to give this House some more satisfactory information than what is contained upon this flimsy scrap of paper.

Ld. North. Lord *North* asserted, that the contents of the *London Gazette* were true. The army was not compelled to abandon Boston; that as the British troops met not the least interruption from the rebels, neither did the general come into any compromise whatever. He said, the stores, ammunition, &c. were not abandoned; that the army suffered no loss either immediately before or in its embarkation; that the troops embarked with all possible coolness and regularity, and even, perfectly at their ease; but that nevertheless it would not be proper, in his opinion, to lay all the dispatches before that House, because it might be the means of defeating, at least of impeding, the measures adopted, and the operations meant to be carried into execution, in the course of the present campaign. He affirmed, that the evacuation of Boston was no loss of glory, it was only a change of place. He saw no connexion between General Howe's letter and the vote of credit. He saw no disgrace in leaving Boston; we had the same men and the same ships; only in another place.

Lord John Cavendish.

Lord *John Cavendish* observed, that the House had proceeded in the beginning of this business on actual misinformation. This was done to draw the nation imperceptibly into the war. When that favourite point was obtained, then every kind of information was refused. It was owned that the information was false, or in the more mild language of administration, government was deceived; but what of that? The nation had been insidiously led into a war; when once embarked, it was too late to recede; and from the very first day the sword was drawn, his Majesty's ministers have refused to impart a single tittle relative to the conduct of this war; and the minister, with a confidence hitherto unexampled, comes down day after day to this House, and expects an implicit obedience and assent to whatever demand he pleases to make, without any other pretensions to favour, than that under his administration the whole British empire has been lost, at the national expence of twenty millions of money, precisely in eleven months from day to day, that is,
from

from the date of the defeat at Lexington, to the évacuation of Boston.

Mr. *Byng* contended, that the public ought to be informed what was doing in America, and to what purposes their money was applied; and though there may be a pretence of with-holding future plans, there could be none for refusing to lay before Parliament an account of what had been done. Mr. Byng.

Sir *George Yonge* said, it was impossible but the consequences of the present war must be the destruction of the nation: In any hands the event would be doubtful; but in such hands, the disgrace and ruin of the nation, and the loss of America, were inevitable. Sir George Yonge.

Mr. *Hartley* said, the Americans were averse to any notions of independency, unless driven to it by necessity, as they were determined never to submit to be taxed by the British Parliament. He contended, that America desired no more than a security and recognition of those rights she enjoyed before, to the year 1763. He insisted, notwithstanding the unqualified assertions of the noble Lord at the head of the treasury, that General Howe was driven from Boston, and that nothing but a dread of having his whole army cut to pieces, or made prisoners, induced him to make so precipitate and unexpected a retreat. He said, we had closed the first book of the American war; shall we proceed to the second, with our eyes open? Before, we were in ignorance of America; now, we see and know something of her. He concluded with observing, that the great chain which held both countries was now broken by our late harsh, impolitic, and he would add, cruel proceedings; that he feared America was for ever lost; yet a gleam of hope still broke in on his mind sufficient to make him believe that America was still recoverable, if the management of public affairs was entrusted into other hands. Mr. Hartley.

Mr. *Burke* took a short view of the conduct of the war from its commencement, and jocularly observed, that if he had not the highest opinion of the integrity and probity of the noble Lord and his colleagues in office, he should be inclined to suspect that they were secret friends to America, and had been bribed to betray the honour and military reputation of this country; for from the first embarkation of troops from Ireland, to this instant, every measure which had been adopted or pursued was directed to the impoverishing this country, and emancipating America. He observed, that the noble Lord had disclaimed any intention of giving false colours to the account which appeared in the Lon- Mr. Burke.

don Gazette; but there was not room left for a possibility of misrepresentation, for though the Boston extraordinaries for 8000 men, in the course of twelve months, had amounted to one million and a half, or nearly two hundred pounds a man, for salt beef and four crout, he would affirm, and called upon the noble Lord to contradict him, that the troops could not have remained in that town ten days longer, if the Heavens had not rained down manna and quails; and in a similar expectation, he presumed, the troops were embarked for Halifax, a land flowing with milk and honey.

Rt. Hon. *Welbore Ellis.* Right hon. *W. Ellis* said, the evacuation of Boston was a diminution of credit and a very great calamity. It was an event that would give great *eclat* to the American cause; for though a part of the plan for future operations, it was at that time the effect of harsh necessity: It was a reflection upon General Howe to say it was any thing else but harsh necessity.

Mr. *Lyttelton.* Mr. *Lyttelton* insisted, that any communication would be exceedingly improper in the present critical situation of affairs.

Gen *Conway.* General *Conway* said, the British arms had been dishonoured, the British councils were fallen into contempt, and the honour of the nation deeply wounded. The evacuation of Boston, was dishonourable. He condemned the conduct of administration without reserve, and said, the army, which was destined for the conquest of America, was now lying inactive, part stuffed into transports waiting at Spithead; another part was still in Germany, and none of them where they should long since have been. That he always thought the measure of coercing America, for the purpose of raising a revenue, an unjust one; he always looked upon it to be impracticable; but was certain it was to the last degree cruel, and oppressive. It was destructive of the commerce, importance, and dearest interests of this country, if in case it should miscarry, which he thought more than probable. It was destructive of what was still, if possible, more valuable, its liberties, if it should succeed.

Lord *George Germain.* Lord *George Germain* said, by what he had seen of the correspondence, he never understood that General Howe intended to begin his operations from Boston. His opinion was well known: it was the opinion of the majority of the House; as long therefore as the House thought it proper to support the war, he thought it would be right to pursue it, and no longer. When he came into office, the nation was already engaged in it; he did not begin it. Orders were sent

sent by Admiral Shulldham for General Howe to leave Boston whenever he thought proper. But he supposed the General had prepared his winter quarters, and thinking he should remain quiet had resolved to winter there. But he would certainly have left Boston in the spring. His Lordship asserted, that there was no agreement between General Howe and Washington: that Washington had changed his position, which no doubt obliged General Howe to change his; and that there was so much of our force thrown into circulation.

Colonel *Barré* observed, that the embarkations were all Col. *Barré*. made too late last year; that convoys were neglected; that the provisions, ammunition, and stores, by that means had fallen into the hands of the provincials. That the naval force was inadequate to the service; and that unequal as it was to the service, it was still worse provided, and more improperly directed. He should be glad to know to whom those delays, mismanagements, if not malversations in office, were to be imputed. He took a view of the conduct of administration, since Christmas last, and desired to know, how it happened, that now, on the 6th of May, the greatest part of the army should be lying at Spithead, or what was the reason that some of the Hessians, who ought to have been in America, had not yet left Germany.

The Lord Mayor [Mr. *Sawbridge*] said, if the noble Lord Mr. *Sawbridge* at the head of the American department, had any intelligence from America, why not lay it before the House? He believed he had not, for all he knew was at second hand. General Howe did not so much as know his Lordship was in office; for his dispatches were directed to a noble Lord, a member of the other House, who held the office his Lordship now enjoys.

The question was put, and the House divided; ayes 54; noes 171.

Went into a committee on the King's message. Voted one million.

**The Remainder of the Commons Debates
are at the Beginning of Vol. IV.**

INDEX to the THIRD VOLUME.

- A**ccount of extraordinary services 360
- Accounts weekly moved for 390
- of the navy — 417
- Address moved and debated 4 to 44
- list of minority in the division upon — 44
- reported, and again debated 52 to 73
- presented — 74
- King's answer to 76
- Addressees censured 71 to 99, 207
- America, Hon. T. Luttrell's motion to treat with — 123
- Mr. Burke's bill for composing the troubles in 182
- Mr. Oliver's to know the authors of the measures against 214
- Mr. Hartley's for ceasing hostilities, &c. in 256 to 272
- Mr. Fox's, for enquiring into the causes of ill success in 330 to 341
- Army, returns of, in America, called for — 79
- estimates presented 90
- debated 129 to 155
- motion for the account of the expence of, in America 203
- extraordinaries, debate on 401, 404 to 411
- Bills, private, resolutions concerning to be revised — 78
- resolutions reported 162
- Boston, motion for General Howe's dispatches on leaving 509
- Brunswick, treaty with the Duke of 287
- taken into consideration 341 to 360, 392
- Budget debate on — 499
- Burke, Mr. his argument and bill for composing the troubles in America 170
- his motion for acts of assembly in the West-Indies 206
- his motion for the quit-rents in North America *ibid.*
- Burke, Mr. debate on his shipwreck bill 472, 500
- Congress of America, motion to treat with — 123
- Contracts censured — 407
- Dartmouth petition from 89
- Enquiry, committee of, respecting the licences — 503
- Extraordinaries, army, debated 401
- 404 to 411
- Extraordinary services 360
- Felons, bill to alter the punishment of 473
- Foreign seamen, bill to employ 442 to 447
- troops, Sir James Lowther's motion on 104, 492
- See Brunswick, Hesse, Waldeck.
- Fox, Mr. his motion for an account of the expence of the army in America — 203
- for an enquiry into the causes of the ill successes in America 330 to 341
- Frazer, General, his new corps of Highlanders 206, 208
- Gage, Gen. his requisitions 447
- his warrant 450
- Georgia, motion in favour of 278
- Hanau, count of, treaty with 390
- Hanover, troops of, motion against 104
- Harcourt, earl of, his message complained of — 313
- Hartley, Mr. his motion for ceasing hostilities, &c. in America 256 to 272
- his motion for estimates of the expences of the war 473
- Hesse, landgrave, treaty with 300
- taken into consideration 341 to 360, 392
- Highlanders, new corps of 206, 208
- Howe, Gen. his warrants 463
- motion for his dispatches on leaving Boston — 509
- Indemnity bill 78, 88, 212
- Ireland, message to the commons of, complained of — 313

INDEX to the THIRD VOLUME.

King's speech	1	Private bills, resolutions reported	162
—— answer to address	74	Prohibitory bill, debates on	196 to 203, 236 to 256, 273 to 278, 281 to 287
Lancaster, petition from	248	—— motion on behalf of Georgia	278
Land-tax, debate on	155 to 162	Representation, motion for a more equal	432
Licences, committee of enquiry on	503	Requisitions for money from the commanders in America	447
London, petition from	74, 211	Sawbridge, his motion to shorten the duration of Parliaments	399
Lowther, Sir James, his motion against employing the Hanoverian troops without the previous consent of parliament, and debate upon	104, 492	Scotch militia bill, 395 to 399, 411 to 415, 425 to 432	
Luttrell, Hon. T. his motion to treat with the Americans	123	Seamen voted	83, 231
—— for the weekly accounts	390	—— number of	425
Marines, number of	425	—— bill to employ foreign	442 to 447
—— bill to employ foreign	442 to 447	Services. See Extraordinaries	
Middlesex election, motion concerning	495	Shaftesbury election, debate on	311
Militia, bill to call out, debated	77, 90, 165, 207	Shipwreck, bill to prevent plundering	472, 500
—— Scotch, debated	395 to 399, 411 to 415, 425 to 432	Townshend, Mr. his complaint of a message from Lord Harcourt to the Commons of Ireland	313
Montgomery, Gen. lamented	403	Transportation. See felons bill	
Navy, number of seamen voted	83	Treaty with the Duke of Brunswick	287
—— accounts of	417	—— Landgrave of Hesse-Cassel	225, 208
Nova Scotia, petition from	46	—— Count of Hanau	300
—— resolution on	168	—— taken into consideration,	341 to 360, 392
—— resolutions on	209	—— with the Prince of Waldeck	504
—— reported	231	Trowbridge, petition from	168
Oliver, Mr. his motion to know the authors of the measures against America, and debate upon	214 to 230	Victualling Accounts, see Navy	423
Parliaments, motion to shorten the duration of	399	Waldeck, treaty with the prince of	504
Petition from Nova Scotia	46	Warrants, General Gage's	450
—— resolution on	168	—— General Howe's	1463
—— resolutions on	209	Weekly accounts moved for	390
—— London	74	West-India planter's petition	272
—— Poole	89	Wilkes, Mr. his motion for a more equal representation	432
—— Dartmouth	89	Wreck ship, bill to prevent plundering	472, 500
—— London, &c. concerning the Newfoundland Fishery	211		
—— Lancaster	248		
—— West-India Planters	272		
Private Bills, resolutions upon to be revised	78		

END of the THIRD VOLUME.

The Parliamentary Register; Or, History Of The Proceedings And Debates Of The House Of Commons Containing An Account Of The most interesting Speeches and Motions; accurate Copies of the most remarkable Bills, Letters and Papers; of the most material Evidence, Petitions, &c. laid before and offered to the House, During the Second Session of the Bd.: 3.

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